Volume XLVII] *September, 1932* [*Number 3*

POLITICAL SCIENCE QUARTERLY

ASPECTS OF GERMAN POLITICAL INSTITUTIONS [1]

GOVERNMENTS, like other human institutions, work in such fashion that interest in them waxes and wanes. The abnormal makes it wax and the normal makes it wane. One can agree to this without defining abnormal and normal; and one can agree also that the abnormal is evident when problems become too difficult for customary consideration and treatment, or when the accident of personality is of special importance and plays particular havoc with literary theory.

Thus, in France, from 1924 down to the formation of the Poincaré cabinet in 1926, the workings or non-workings of the parliamentary machine were of exceptional interest. New questions were raised as to the position of the president, the powers of parliamentary commissions and the control of finance. Since 1926, the French parliamentary system has been more "normal" and thus less interesting. Again—to take another postwar illustration—Great Britain's two minority Labor ministries raised nice questions as to cabinet responsibility and the royal prerogative of dissolution. In the change of government of August 1931—a change which was in large measure due to the fact that Ramsay MacDonald was prime minister—accepted theories were effectively challenged. The doctrine of collective responsibility went by the board. The principle that the prime minister should be the head of a great party in the House of Commons was denied by the event.

[1] This is the first of several articles on postwar German political institutions. The series will be continued in subsequent issues of the POLITICAL SCIENCE QUARTERLY.—ED.

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The king proved himself to be far more than a wooden idol, and Parliament gave up its historic control of the purse.

Since the adoption of the Weimar Constitution on August 11, 1919, Germany's republican government has been of continuous interest to students of political institutions. The Constitution itself was interesting,[1] for it disclosed some new refinements of the theory of a parliamentary government. But government in action can belie literary theory, and a pertinent question is: to what extent has German political physiology developed in ways which were not anticipated in the anatomical structure and the operating principles of the Constitution?

Thirteen years is not a long period for government in action to disclose differences between its normal and abnormal workings. As in the case of marriages, the first years are presumably the hardest, and during the baker's dozen which Germany's republican institutions have had, economic and social problems have been more pressing and complex than any series of problems confronting far more experienced parliamentary institutions. Hence the observer of German politics must be extremely tentative in venturing generalizations based on events.

Nevertheless, the German parliamentary system in its workings has disclosed certain habits of functioning which may be tentatively described even though not fully interpreted. It is accurate to say that down to 1932 the system worked well—extremely well considering the newness of the institutions and the difficulties by which they were confronted. The events of May and June 1932, whatever else one may say of them, were certainly not calculated to strengthen the parliamentary system. Indeed, the prophets were ready to say that the death knell of responsible cabinet government had been sounded. Their forebodings may be too gloomy, but in a time of such uncertainty it may be opportune to consider the experience which has gone before. Not much has been written in English on the functioning of the German cabinet system and its similarities to or differences from the functioning of cabinet

[1] An excellent bibliography is given by Blachly and Oatman, *The Government and Administration of Germany* (Baltimore, 1928), pp. 680-749.

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systems elsewhere.[1] The materials which follow may be described as a prolegomenous attempt to fill this lacuna. They deal with certain aspects of the period which has just ended. For, manifestly, the resignation of the Brüning cabinet did mark the end of a period. Only the future will show whether it marked the end of a régime.

I. President and Cabinet

Those who drafted the Weimar Constitution were able to choose the kind of executive authority they desired. Indeed, the parties of the Left contemplated having no president at all. They suggested that a ministry responsible to parliament might suffice and that the head of this ministry could perform the necessary ceremonial functions. Prussia and Bavaria had given up their titular executives—partly because it was feared that they might compete with the executive of the Reich. Why, it was asked, should not the Reich follow suit? Some feared, furthermore, that the monarchical principle might be introduced into the Constitution under the cover of the presidency—the maneuver which was contemplated by the Royalists who framed the French constitutional laws of 1875.

But a titular executive is of some importance internationally, and for the Reich foreign relations were to be crucial. Again, the German people were accustomed to authoritarianism and during the revolutionary transition a strong executive power was almost indispensable. The number of political parties, moreover, made it clear that cabinets would be unstable and would undergo frequent changes. Hence it seemed desirable to have a head of the state who would continue from administration to administration; who could be above parties, and exercise a mediating influence. Consequently, a president was decided upon, and the question then was whether he should be elected by the Chambers, as in France, or by the whole people, as in the United States. The decision was for popular election.

Yet despite the manner of election, the German president is

[1] An excellent description is H. Finer, *The Theory and Practice of Modern Government* (2 vols., New York, 1932). See also Bertram W. Maxwell, "The German Cabinet in Theory and Practice", *Southwestern Political Science Quarterly*, vol. XI, p. 148 (1930).

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not one on the American model. He is a titular executive. He stands in much the same constitutional position as that occupied by the president of the French republic, or by the British king. In the oft-quoted remark of Thiers (supplemented by Sir Henry Maine), the president of the United States governs but does not reign, the king of England reigns but does not govern, and the president of the French republic neither governs nor reigns. The constitutional provision that all orders and decrees of the president of the Reich require the signature of a minister, who thereby accepts responsibility,[1] makes the German president a titular executive, however much the fact may seem to be belied by the dismissal of Chancellor Brüning in May 1932. An elected president cannot reign, but can it now be said that the president of Germany is governing?

Certainly, by his action in removing Chancellor Brüning, President von Hindenburg has governed to a greater extent than George V or President Lebrun would dare to attempt. Since the reign of William IV a century ago, no British sovereign has ventured to dismiss a minister who even nomin-

[1] In France, even the presidential nominations of new ministers are countersigned by the retiring Président du Conseil or Garde des Sceaux. See Esmein, *Eléments de droit constitutionnel: français et comparé*, vol. II, p. 258. The appointment of the new chancellor of the Reich is countersigned by the previous chancellor; the dismissal of the former chancellor is signed by his successor. The documents are delivered as nearly as possible at the same time to the old and new chancellors. On Nov. 22, 1922 Wirth signed the appointment of Cuno, and Cuno the dismissal of Wirth; on Aug. 13, 1923 Cuno signed the appointment of Stresemann, and Stresemann the dismissal of Cuno; on Nov. 30, Stresemann signed the appointment of Marx, and Marx the dismissal of Stresemann. The new chancellor countersigns the documents for the dismissal of the previous ministers and for the appointment of the new ones. [Poetzsch, "Vom Staatsleben unter der Weimarer Verfassung", *Jahrbuch des Öffentlichen Rechts*, vol. 17 (1925), p. 174. The foregoing article by Poetzsch was supplemented by another of the same name covering the period up to the end of 1928 in the 1929 volume of the *Jahrbuch des Öffentlichen Rechts*. The two articles are cited herein as Poetzsch, *op. cit.*, 1925 or 1929 as the case may be.] The problem of a refusal to sign has not yet arisen. But see section 2 of the Reichsministergesetz, March 27, 1930, *Reichsgesetzblatt*, I, p. 96, whereby the chancellor countersigns his own appointment and that of the other ministers. Ministers in Great Britain take office by kissing the king's hands, but there are formalities, in respect of seals, etc. — Sir William R. Anson, *The Law and Custom of the Constitution* (3d ed., Oxford, 1907), vol. II, Part I, p. 47.

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ally has had the confidence of the House of Commons. Such an act must be performed directly by the House of Commons; or, indirectly, resignation may follow a decision of the political parties supporting the cabinet,[1] or an adverse verdict at the polls. Only once, in 1877, has a French president forced a cabinet to resign, and the consequences of Marshal MacMahon's coup were such that no subsequent president has dreamed of repeating the maneuver. President von Hindenburg, however, even though a titular executive, has dismissed a chancellor possessing the (at least nominal) confidence of the Reichstag. The justification which can be alleged for his action is two-fold: the political situation in Germany and the intention of the framers of the Weimar Constitution.

If a political situation had existed in Great Britain or in France comparable to the situation in Germany, the titular executive would at least have been entitled to consider taking action similar to that taken by the German executive. What was the political situation in Germany? President von Hindenburg was able in effect to address his chancellor somewhat as follows:

"It is true that your cabinet has a nominal majority in the legislature, but it is not a real majority. Your government is a minority one. Recent elections in the Länder have shown such changes in the temper of the country since the last Reichstag elections that the Reichstag no longer accurately reflects the prevailing currents of opinion. The gains of the National Socialists in Prussia are particularly significant. Your cabinet ought to have been broadened to include representatives of the parties which have gained in the recent elections. You have been reluctant to do this. You have been governing under Article 48 of the Constitution which gives the president drastic ordinance-making powers to be used on the advice of his cabinet. In effect, the Reichstag has abdicated legislatively and is permitting the executive to govern the country. You now say that you must have certain new ordinances relating to the East Prussian estates.[2] I do not think these ordinances

[1] E. g., the withdrawal of support by the Conservatives from Mr. Lloyd George's coalition government in 1922.

[2] Just after the election of von Hindenburg in 1925, Edmond Vermeil wrote

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desirable. On such grounds, therefore, a change of government is called for—a new cabinet which more accurately represents the dominant political forces of the state.[1] I trust that this cabinet will be given a vote of confidence by the Reichstag, but if not it will countersign my order dissolving the Reichstag and we will have new elections."

In substance that was the German situation. Not for many years in Great Britain or in France has there been a similar joining of circumstances, which would have permitted a king or president so to address a prime minister. Crises in Great Britain and in France have been capable of resolution by a parliamentary decision without spectacular action by the titular executive. The closest recent approach in Great Britain to comparable action by the king was in 1913 over Home Rule. Then certain political figures and constitutional lawyers thought that the king would be justified in preventing the Home Rule bill (which was being made law by the House of Commons under the Parliament Act of 1911 without the assent of the House of Lords) from going into effect. The political leaders wanted a resuscitation of the moribund power of royal veto.[2] That, of course, would have caused the resignation of the Asquith government and general elections. Professor Dicey would have accomplished the same result by a dismissal of the Asquith government if it refused to advise the king to dissolve.[3] But there were no public signs that the king

rather prophetically of the "error" which had been committed by the German revolution of 1919 in not redistributing the lands of East Prussia. He said: "Today the Junkers are alongside of the magnates of the West, the masters of the hour. The masses of peasants follow them under the rod of Lutheran pastors instead of defending the republic. They feed the Right wing of the Catholic Center and the National German party. Hence the notorious insufficiency of the republican defence; hence also Hindenburg's victory." "L'Allemagne au lendemain de l'élection présidentielle", *Revue Politique et Parlementaire*, May 10, 1925. See also Professor Vermeil's *L'Allemagne contemporaine, 1919-1924* (Paris, 1925), p. 32 *et seq.*

[1] President von Hindenburg apparently was willing for Chancellor Brüning to remain in the new cabinet as foreign minister, but the chancellor refused.

[2] Their views are quoted in Graham Wallas, *Our Social Heritage* (London, 1921), chap. 10. See also "Auditor Tantum", "The Veto of the Crown", *Fortnightly Review*, September 1913.

[3] "An Appeal to the Nation", *Nineteenth Century*, vol. 75, p. 945 (May 1914).

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seriously considered the advice which was thus offered him in speeches and review articles.

In August 1931, when the MacDonald Labor cabinet resigned and the National Government was formed, the event, even though it may have been encouraged by the king, was approved by an overwhelming parliamentary majority. There was clear indication in advance that the legislature was willing to sanction the precise changes which took place. Even so, it is possible to query the rôle of the Crown. Gladstone once described the nature of the transformation of the power of the Crown (then being worn by Victoria) as consisting in "the beneficial substitution of influence for power."[1] It was clear in the crisis of August 1931 that George V had ample opportunities to exert his influence. He consulted, apparently, not only his cabinet, but the leaders of the Opposition, and this before he was called upon to designate the premier to form a new government. Professor Laski has asked whether in those events power did not take the place of influence. Upon the announcement by the Labor prime minister that he could not carry on, the king asked Mr. MacDonald to form a National Government. The convention of the Constitution would have permitted (or did it require?) the king to turn to the leader of the Opposition — Mr. Baldwin. In December 1916, when Mr. Asquith's government broke up, George V asked Mr. Bonar Law to form a ministry, and upon his refusal and suggestion of Mr. Lloyd George, commissioned the latter to form a cabinet. In 1931 the king took a different course. Does that mean that his discretion is not so severely limited by constitutional conventions?[2]

No French president since MacMahon has been confronted by a parliamentary situation resembling the two British ones which have been cited. In 1926, for example, when France was indulging in a succession of ministries while the franc was

[1] *Gleanings of Past Years*, p. 38.

[2] Professor Laski inclines to an affirmative answer in *The Crisis of the Constitution: 1931 and After* (London, 1932). There is an acute discussion of the same point by W. Ivor Jennings, "The Constitution under Strain", *Political Quarterly*, April–June 1932.

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falling, parliamentary opinion rather than a presidential ukase enabled Poincaré to become prime minister. President Doumergue took but little share in the controversy. Herriot had his chance of forming a government, and when it was seen that no combination of the Left was possible, a ministry of national union was set up. The Chamber of Deputies was ready for it.[1] In Germany there were no indications of parliamentary opinion. The Brüning government was living with the support of a minority of the Reichstag and that body had no definite wishes as to the composition of a new cabinet. The only matter on which it agreed was a willingness, *faute de mieux,* to continue to tolerate the Brüning government.

But a second reason for President von Hindenburg's emergence from the minor rôle which British and French constitutional practice permit their executives was that the framers of the Weimar Constitution plainly intended that he should be able to do so. As has been said, those who drafted the Weimar Constitution wanted to avoid the ministerial instability which had been characteristic of the French parliamentary system.[2] That instability, it was felt, was due to the fact that all authority was mistakenly concentrated in the French parliament. Thus Hugo Preuss, the principal draftsman of the Weimar Constitution, argued for the popular election of the president rather than for his selection by the two chambers as in France.[3] He wished the president of the Reich to have an

[1] Doumergue did in 1929 assist Tardieu in becoming prime minister, but through strategy rather than power or influence—that is, by appealing to politicians who were unable to form combinations, and then turning to Tardieu.

[2] Finer, *op. cit.*, vol. II, p. 1144 *et seq.* and references. On the theory of the constitutional place of the president see Anschütz, *Die Verfassung des Deutschen Reiches* (Berlin, 1929), pp. 219-223, and literature there cited. See also Carl Schmitt, *Der Hüter der Verfassung* (Tübingen, 1931), pp. 132-140; Anschütz and Thoma, *Handbuch des Deutschen Staatsrechts* (Berlin, 1930), vol. I, p. 467.

[3] Hugo Preuss, *Denkschrift zum Entwurf des allgemeinen Teils der Reichsverfassung* (Berlin, 1919). The National Assembly in France decided against the principle of universal direct suffrage for the election of the chief of state. Recollections of the Constitution of 1848 and of the unhappy event which followed it made unnecessary any long critical discussion of the presidential plebiscite. It was thought that a president elected by universal suffrage would consider himself as strong as parliament and would encroach upon parliamen-

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equal status with the legislature—to be a counterpoise to it. Since all political power issued from the popular will, the president could get this equal status only by popular election.[1] He thought that a president popularly elected, experienced in political tactics, would be more able to gauge political situations and to judge and act courageously than a monarch or executive chosen by legislative election. The president might be able to prevent the excess of parliamentarianism which had been responsible for the kaleidoscopic succession of French ministers.

Even though a minister's countersignature is insisted upon for all of the president's acts, the president is nevertheless in a sense politically responsible. The Reichstag by a two-thirds vote may demand the decision of the people on the recall of the president. If the popular vote fails to remove him, it is regarded as a new election for a seven-year term, and the dissolution of the Reichstag follows. Hence there is a measure of political responsibility: a president who takes the wrong side and insists on staying there can be got rid of by popular

tary functions. Universal suffrage was incompatible with the principle of an irresponsible president who was to be an arbiter between parties. ("La Révision de la Constitution et les pouvoirs du Président de la République", *Revue Politique et Parlementaire*, May 10, 1925.)

[1] Much German ink has been spilled on the question of where the supreme power rests. Johannes Horion (*Probleme der Reichsreform*, Jena, 1931, vol. II, p. 2) says that this problem has become a particularly tempting titbit for professors of public law. Herrfahrdt, *Die Kabinettsbildung nach der Weimarer Verfassung* (Berlin, 1927), pp. 9-18, reviews the opinions of the learned on the formality or reality of the president's powers. Carl Schmitt (*op. cit.*, p. 139) remarks that the framers of the Weimar Constitution intended that the president should act as a neutral agency in the state, resolving difficulties between the other agencies. In December 1928 the president had occasion to pass in an informal way upon a constitutional conflict between agencies of the state. A controversy arose between the Staatsgerichtshof and the government concerning the propriety of the government's filling vacancies on the Board of Administration of the Railway System at a time when the court was unable to hear the issues involved in a litigation between certain of the Länder and the government upon the relation of the latter to the Railway Administration. The head of the Reichsgerichtshof, von Simons, lodged a complaint with the president, who refused to pass formally upon the question but indicated informally to Simons in his letter of refusal that he regarded the government's conduct as proper. (Purlitz, *Geschichtskalender*, 1928, A, pp. 317-320.)

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vote.[1] This adjustment is necessary because of the authority given to the president by popular election, and because of the intention that he be not a mere figurehead.[2]

Again, the Constitution allows the German president a freer hand in the selection of cabinets than is the case with the British and French titular executives. In Great Britain the party situation almost always determines who is to be premier. Doubt on that subject is increasingly rare. The designation of Lord Rosebery by Queen Victoria in 1894 on the resignation of Gladstone, and the selection by George V of Mr. Baldwin rather than Lord Curzon as prime minister when Bonar Law retired in 1923 were the only uncertainties of the last seventy-five years;[3] and subsequent revelations have disclosed that the parties were not averse to the choices which the king made. In France the president's freedom of choice is severely limited by the desires, even though they are vague, of parliamentary groups. In both countries prime ministers are always members of parliament. The president of the German Reich, however, may choose a chancellor from outside the Reichstag, and if he designates a Reichstag member he may ignore the leader of whatever opposition there may have been to the fallen government. He is unrestrained either by law or by custom in respect of the persons or parties to whom he appeals.[4] Thus in

[1] A strike of ministers is not necessary, as in France, when there is a desire to get rid of the president but no desire to attempt impeachment. See Jacques Barty, *L'Affaire Millerand* (Paris, 1924).

[2] In *Le Régime parlementaire* (Paris, 1924) Professor Robert Redslob pointed out that the president's power to order a referendum on a law objected to by the Reichsrat and favored by the Reichstag might enable him to rely on the electorate in a struggle against the parliament. For a summary of conflicts between the two chambers, see Maurice Aubry, "Le Reichsrat dans la constitution allemande du 11 août 1919", *Revue du Droit Public*, vol. XLIX, p. 114 (1932).

[3] Earl of Ronaldshay, *The Life of Lord Curzon* (New York, 1929), vol. III, p. 320 *et seq.*

[4] It is upon this right of appointment and dismissal, according to Heinrich Pohl, that the president's authority to influence the maintenance of existing cabinets and to guard against cabinet crises depends. This authority is not merely formal but rather, says Hugo Preuss, "the weightiest independent function of the Reichspräsident. In this above all he must maintain his function as a political leader." (Anschütz and Thoma, *op. cit.*, pp. 487 *et seq.*). He

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1922 and 1925, Cuno and Luther formed cabinets. They were not in parliament but they were designated as chancellors in the hope that with them in office the parliamentary parties would be neutral and would collaborate to an extent greater than would be possible if a party man headed the government.[1] In November 1923, when Stresemann's ministry fell, the Nationalists insisted that one of the opposition parties should form the new government. President Ebert answered that the Constitution gave him full discretion and that his first duty was to choose a chancellor who would be most likely speedily to get together a combination which would satisfy the Reichstag and the country.[2] After the May 1924 elections,

and not the largest parties in the Reichstag builds the cabinet. The cabinet is regarded in the Constitution as an independent organ of the executive and not as a committee of the Reichstag possessing that body's confidence.

Thus F. Naumann declared in the National Assembly that the proportional electoral law and the many parties resulting therefrom would have the effect of making the chancellor a coalition minister. For precisely this reason there would be a strong need for a personality to keep everything in hand. The president is to be an intermediary power. "The reason why I believe that we require a President is above all the fact that we in Germany cannot, because of the many branches of activity, attain complete unity without him. . . . It is possible that a majority will not be obtained in the Reichstag and that consequently without something else a government cannot be set up. In that case the President must become active . . . the question of a President is not a party question, but rather a question of political technique and harmony. . . ." (quoted in Schmitt, *op. cit.*, pp. 138-139.) Schmitt denies that either Ebert or Hindenburg has governed. Basing himself on the distinction between authority and power revived by Benjamin Constant, he suggests that Ebert and Hindenburg by their neutral mediatory activities have found that when governing is subtracted from reigning, something of the first importance is left to be done by the president.

In Ebert's letter of July 27, 1922 to the Bavarian minister president urging the revocation of the Bavarian Emergency Ordinances for the Defense of the Republic, he speaks of himself as "Hüter der Reichsverfassung und des Reichsgedankens." (Poetzsch, *op. cit.*, 1925, p. 82.)

[1] Ebert chose Cuno after attempts to rebuild the Wirth cabinet on a Great Coalition basis had fallen through because of Social Democratic opposition to the inclusion of the German People's Party in the cabinet. (Purlitz, *op. cit.*, 1922, A, pp. 170-173.) There is a translation of Cuno's letter to Ebert, November 18, 1922, in Blachly and Oatman, *op. cit.*, p. 106.

[2] Ebert chose Marx. Hergt, the leader of the German Nationalist People's Party, protested. (Blachly and Oatman, *op. cit.*, p. 105.) In reply Ebert wrote: ". . . the national Constitution leaves the appointment of the man who

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the Nationalists again urged that parliamentary usage required the designation of a member of their party to form a government because their party was largest in the Reichstag.[1] But Chancellor Marx, a Centrist, formed the cabinet. As these examples show, the German president has rather deliberately acted contrary to the customs which govern the building of British and French cabinets.

The Constitution, of course, requires (at least negatively) [2] that any combination which is set up shall secure the approval of a Reichstag majority. The president may guess incorrectly as to the kind of combination which will secure this approval, and in the last analysis, the Reichstag is master. But, as has been said, the Constitution itself, the confused party situation, and the emergency conditions in the country have combined to make the president assume responsibility. Politically he may be acting foolishly; but constitutionally—according to the literary theory—his action is quite proper.

This, as is evident, is a presidential rôle which the British and French constitutions do not permit their titular executives. Furthermore, with the German president given some discretion in respect of dismissing the ministry, he must manifestly seek advice from others than those in the cabinet of the moment. The theory of the British constitution is that the king takes advice only from his ministers. That point was much discussed in 1923 when the question was whether George V would be constitutionally bound to act on the advice of the MacDonald Labor cabinet (which was a minority government) to

is to establish and direct the National Cabinet, to my free decision. In the exercise of this right belonging constitutionally to me, I have hitherto always entrusted a person with the formation of a new cabinet, whose political position appeared to offer the greatest prospect for the rapid assembling of a cabinet capable of working together . . ." (*ibid.*, p. 105.)

[1] In the cases of Fehrenbach, Wirth, Stresemann and Marx the president did not call on the leader of the largest party in the Reichstag. (Poetzsch, *op. cit.*, 1925, p. 164.) See also the speech of Count Westarp in the Reichstag, June 5, 1924, after the May elections had returned the Nationalist Party as the largest single one. (Purlitz, *op. cit.*, 1924, pp. 247-248.) See reply of Marx, *ibid.*, p. 248.

[2] See below, pp. 347 *et seq.*

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dissolve the House of Commons in the event of its defeat. If the British ministry resigns, the king can, of course, consult the Opposition leaders as to the kind of government which should be formed, and he need not consult the retiring prime minister.[1] But so long as the ministry is in office must the king follow its advice? The weight of opinion in 1923 was that, save in a much more exceptional situation than that which was contemplated (the defeat of the MacDonald government), the king would have to agree to a dissolution. As a matter of fact, the king did. The German Constitution, however, invites the president to use his discretion in respect of dissolution and cabinet changes. Naturally, in using this discretion the German president must be free to seek advice, and non-cabinet advice cannot be branded " unconstitutional " as would be the case in Great Britain.

The two German presidents have not been reluctant to assume authority even though in so doing they must urge their own views on pending questions. Such urging is carefully avoided in Great Britain and in France for it is an axiom of their constitutions that the titular executive must not express public opinions on pending political issues. In England, the only pronouncements on public affairs which the king makes are in his speech from the throne opening Parliament. Then the voice is that of the king, but the words are those of his ministers. In France the titular executive is not compelled to be so inarticulate, but he usually confines himself to patriotic platitudes which draw applause from all quarters. It is a major event when he is other than platitudinous. When, for example, in 1924 Millerand openly advocated the return to power of the *Bloc National,* the triumph of the *Cartel des Gauches* permitted a successful insistence upon his resignation. Before his retirement, M. Doumergue made a speech discussing, more specifically than is customarily the case, the foreign policy that France should insist on. But while he was unusually concrete for a president, he had on his side all but

[1] Queen Victoria did not consult Gladstone in 1894. He was prepared to recommend the Earl of Spencer.

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the extreme elements of French public opinion, and there were no political repercussions.

The German president does not conceal his opinions on public questions. Concealment, indeed, is made difficult by reason of the manner of election. While the campaign is on, excessive concealment would be pussyfooting. During his term of office, moreover, questions arise on which the president's opinions are invited. He avoids controversy as much as possible and resists attempts to use his name for partisan political purposes.[1] But there are, as has been said, occasions when he must speak out. President von Hindenburg has made use of the opportunities afforded him by the annual New Year's Day reception to the diplomatic corps and officials and legislators of the Reich to express his views on questions of foreign and domestic policy.[2] On other occasions the cabinet may insist that the president be not silent.

In 1926, for example, when Germany was torn over the issue of expropriating without compensation the Hohenzollern property, von Hindenburg disclosed his opinions: he favored compensation, and his influence was far from negligible in aiding the defeat of the referendum proposal.[3] He declared

[1] Cf. von Hindenburg's letter of Oct. 16, 1929 to Chancellor Müller relative to quotations of opinions allegedly emanating from von Hindenburg upon the proposed referendum on the Young Plan. (Purlitz, *op. cit.*, 1929, A, p. 230.)

[2] See Poetzsch, *op. cit.*, 1929, pp. 89 *et seq.*

[3] On May 22, 1926 Hindenburg wrote a letter to former Minister von Loebell which it was evidently intended should be published. He expressed himself as strongly opposed to the proposal to expropriate the property of the princes without compensation, the question being then before the people by way of referendum. This letter was the subject of an interpellation in the Reichstag. Chancellor Marx declared that Article 50 did not require his countersignature to be affixed to this letter. He went on to say, however, that under Article 56 the guidance of policy was entrusted to the chancellor, that the opinion expressed by the president was altogether in accord with the policy laid down by the government and that he could see no violation of the Constitution in the president's action.

Anschütz (*op. cit.*, p. 266) is of the opinion that countersignature is not the only way in which responsibility can be assumed for presidential acts, but is simply one way, and that acquiescence in ways other than countersignature may have the same effect. President Hindenburg's letter in Poetzsch, *op. cit.*, 1929, p. 88; remarks of Chancellor Marx, *ibid.*, p. 94. Cf. the contrary opinions expressed by the leader of the Center, Guérard, in *Stenographische*

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to his chancellor (July 2, 1926) that he would not consent to a dissolution of the Reichstag and that he regarded the resignation of the cabinet as undesirable.[1] When later there was a referendum on the measures which would have prevented the Young Plan from going into effect, von Hindenburg's attitude aroused the ire of conservatives. Again, he officially refused to visit Prussia in 1929 and the Prussian government was brought to accept his views concerning the meetings of the patriotic organization, the *Stahlhelm*. In the recent dismissal of Chancellor Brüning, President von Hindenburg did not conceal his views on the expropriation of the estates in East Prussia for the use of the unemployed.

In short, despite the fact that the law of the Constitution makes him a titular executive with ministerial countersignature necessary to validate his acts, the law and conventions of the Constitution (as the latter have developed during twelve years) enable the president of the German Reich to act as a real counterpoise to parliament. On political grounds one may deplore the dropping of pilot Brüning, but the fact is that constitutionally President von Hindenburg did not step out of his proper rôle. He can act independently, and he will be successful in doing so when the cabinet and the Reichstag are not strong enough to hold him in check. Since 1919 cabinets and Reichstags have been weak and their weakness has encouraged presidential independence.

An adequate story of the workings of cabinet government in Germany will not be possible until many memoirs and memoranda of cabinet members are published.[2] But certain surface facts as to the setting up, the composition and the functioning of cabinets are available in sufficient number to warrant a few generalizations.

Berichte und Anlagen (June 10, 1926), p. 7425; by the leader of the Democrats, Koch-Weser, *ibid.*, p. 7433; and by the leader of the Social Democrats, Müller, *ibid.*, p. 7424. See also Bovensiepen, "Zwei verfassungsrechtliche Bemerkungen zum Flaggenerlassen", *Frankfurter Zeitung*, May 19, 1926.

[1] Poetzsch, *op. cit.*, 1929, p. 86.

[2] There are valuable materials in *Les Papiers de Stresemann* (Paris, 1932, 2 vols.)

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The English cabinet in all important respects rests on custom. In the French constitutional laws a single provision makes the ministers responsible before the Chambers. But the Weimar Constitution (Articles 52-58) goes into more detail. The president appoints the chancellor, and, on the latter's nomination, appoints and removes the national ministers. All ministers must have the confidence of the Reichstag and any one must resign "if the Reichstag withdraws its confidence by express resolution". The chancellor presides over the ministry and business is conducted "according to rules of procedure which shall be determined by the National Ministry and approved by the President of the Reich". The general course of policy is determined by the chancellor, who is responsible for it, and "in accordance with this general policy each National Minister shall independently conduct the branch of administration entrusted to him and shall be under personal responsibility to the Reichstag." The national ministry reaches decisions by a majority vote and in case of a tie the vote of the presiding officer decides.

As is evident, the kind of cabinet government contemplated by the Weimar Constitution is vastly different from the kind of cabinet government which has been made familiar in Great Britain and in France, greatly as those two brands may differ from each other. The chancellor is deliberately restrained from taking the dominating position which the British prime minister enjoys. He must take orders from the leaders of the supporting parties. He is not *primus inter pares* but, as Sir William Harcourt once said, *inter stellas luna minores*. In actual practice, of course, it may well be that constitutional intentions are not adhered to literally; the personality of the chancellor may be so dominating that he is never overruled by a majority. Furthermore, the president of the Reich attends cabinet meetings, and a constitutional distinction is drawn between collective and individual responsibility. The cabinet, presumably, is to stay in office irrespective of defeats on legislation, and to resign only when confidence is withdrawn by an express resolution, or when party commands must be followed. Hence cabinet government in Germany is not primarily a duel

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between legislative and executive as it is in France and Great Britain.[1]

Since 1919, as has been said, the composition of the Reichstag has enabled the president of the Reich to make full use of his authority. Coalitions have been necessary, for the Reichstag has always been segmented into parties no one of which approached a majority.[2] Five elections have done no more than shift the balance of parties and permit a choice between three coalitions: the so-called Great Coalition including all but the extremists; a smaller coalition going Right from the Center to the German People's Party and Left to the Democrats (not the Social Democrats); the Weimar Coalition

[1] Article 55 of the Constitution called for the adoption of rules of procedure by the national ministry which were to be approved by the president. Such rules were established by the ordinance of May 3, 1924. The text of this ordinance appears in Poetzsch, *op. cit.*, 1925, pp. 174 *et seq.* There is a paraphrase in Finer, *op. cit.*, vol. 2, pp. 1092 *et seq.* Section 4 of the ordinance provides that the president is to be kept informed concerning the policy of the chancellor and the conduct of affairs by individual ministers by the transmission of the essential documents, written reports and personal explanation. Section 30 names the director of the president's bureau as among those entitled to attend cabinet meetings.

[2] The state of parties after the several elections is given in the table below, based on the *Handbuch für das deutsche Reiche* (1931).

		I	II	III	IV	V
	N. A.	*1920*	*1924*	*1924*	*1928*	*1930*
Deutschnationale Volkspartei	44	71	95	103	73	41
National-sozialistische Freiheitsbewegung	—	—	33	14	12	107
Deutsche Volkspartei	19	65	45	51	45	30
Zentrum	91	64	65	69	62	68
Deutsche Demokratische Partei	75	39	28	32	25	20
Sozialistische Demokratische Partei	163	102	100	131	153	143
Unabhängige Demokratische Partei	22	84				
Kommunistische Partei	—	4	62	45	54	77
Bayerische Volkspartei	—	21	16	19	16	19
Christliche-nationale Bauern und Volkspartei	—	—	—	—	10	19
Deutsche Bauernpartei	—	—	—	—	8	6
Landbund	—	—	10	8	3	3
Reichspartei des deutschen Mittelstandes (Wirtschaftspartei)	4	4	10	17	23	23
Deutsch-Hanoverische Partei	1	5	5	4	3	3
Andere	2	—	4	—	4	18
Total membership	421	459	473	493	491	577

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of the Left extending from the Social Democrats to and including the Center.

It is not unnatural, therefore, that leaving out of account the two provisional cabinets of Ebert, Germany has had nineteen cabinets in thirteen years.[1] During the same period, however, France had twenty-four cabinets. Some of these, it is true, lived only a few days. Four were set up, presented themselves to the Chamber of Deputies, and received prompt votes of no-confidence. Even in England during this postwar period there was greater cabinet instability than is normal. During the last century England has had thirty-three governments, but six since 1919.

German cabinets, however, are not still-born like their French counterparts. No German cabinet ever receives a vote of no-confidence on its first appearance in the Reichstag. The parties are so well organized and disciplined that definite assurances can be given as to the support which a particular combination will obtain. Such support cannot be definitely promised in France because the parliamentary groups are more inchoate. In Germany, however, the process of cabinet building is much more tedious than in other countries. The crises which occurred just before the 1924, 1925 and 1926 Christmas holidays lasted, respectively, 31, 46 and 43 days before new combinations could be completed. The French record is only nineteen days.[2] The shortest-lived cabinet that Germany had was the second cabinet of Stresemann. It lasted seven weeks. To Herman Müller belongs the credit of heading the longest-lived cabinet—one year and nine months. Of the nineteen German cabinets, no less than four lasted more than a year, which is greater longevity than France could boast of. The average cabinet tenure in Germany was eight months, while for the period in France it was six months.

[1] Authorities differ as to the number. The *Handbuch für das deutsche Reich* (Berlin, 1931) gives it as eighteen, counting the two cabinets of Bauer as one, while the *Handbuch des öffentlichen Lebens* (Berlin, 1931) gives it as nineteen.

[2] November 24 to December 13, 1877 (struggle of MacMahon and the Republicans).

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In bare essentials, the record of cabinet changes follows:

1919—Scheidemann, Majority Social Democrat, supported by Democrats and Center. Decision of Allies to compel Germany to sign Peace Treaty without modification caused resignation of Brockdorff-Rantzau and fall of cabinet. Feb. 13-June 2, 1919.

Bauer, Majority Social Democrat, formed cabinet with the same support. David, Erzberger, Giesberts and Noske held over. The cabinet was rebuilt in October 1919. Pressure from extreme Left caused fall of cabinet. June 21, 1919-Mar. 26, 1920.

1920—Müller, Majority Social Democrat, who had been foreign minister in the Bauer cabinet, formed cabinet with same support. This cabinet resigned after the general elections in June because of the growth of the opposition parties. Mar. 28-June 8, 1920.

Fehrenbach, Center, supported by German People's Party and Democrats. Resigned after failure to induce United States to intercede with Allies on Germany's behalf. June 25, 1920-May 4, 1921.

1921—Wirth, Center, supported by Majority Social Democrats and Democrats. Resigned because of Upper Silesian decision. May 10-Oct. 22, 1921.

Wirth, Center, supported by Social Democrats. Democrats allowed Gessler and Gröner to continue as experts in the cabinet. Resigned because Social Democrats refused to allow German People's Party to enter cabinet. Oct. 26, 1921-Nov. 14, 1922.

1922—Cuno, no party; formed business ministry composed of members of German People's Party, Center, Democrats and "*fachleute*" not identified with any particular party. None of the parties whose members participated in the cabinet were pledged to Cuno's support. Resigned to allow Stresemann to form government on broader basis. Nov. 22, 1922-Aug. 12, 1923.

1923—Stresemann, German People's Party, supported by Social Democrats, Center, Democrats. Clash between Social Democrats and German People's Party over Special Powers Bill relating to increase in production forced Stresemann to reconstruct cabinet. Aug. 13-Oct. 3, 1923.

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Stresemann formed second cabinet on substantially the same basis. Social Democrats withdrew from cabinet because of government's military operations in Bavaria and Saxony. Operation of Special Powers Act was impeded and Stresemann resigned when Reichstag refused explicit vote of confidence which he demanded. Oct. 6-Nov. 23, 1923.

Marx, Center, supported by Democrats, German People's Party and Bavarian People's Party. Following held over: Stresemann (Foreign Affairs), Jarres (Interior and Vice-Chancellor), Brauns (Labor), Luther (Finance), Gessler (Reichswehr), Oeser (Communications), Kanitz (Food) and Hoefel (Posts). The cabinet resigned after the general elections of May 4, 1924 to to allow the German People's Party to form a cabinet with the German Nationalists. The negotiations of these two parties came to grief over the Dawes Report. Nov. 30, 1923-May 26, 1924.

1924—Marx, Center, returned to office with his cabinet unchanged but after the general elections of December 1924, which were intended to clear the parliamentary situation, failed to insure him a stable support he resigned. Stresemann's attempt to reconstitute a Grand Coalition failed as did Marx's attempt to form a non-party cabinet. June 3-Dec. 15, 1924.

1925—Luther, no party, supported by German National People's Party, German People's Party, Center and Bavarian People's Party. Stresemann (Foreign Affairs), Kanitz (Food), Brauns (Labor) and Gessler (Defense) held over. Luther had been minister of finance in the cabinets of Stresemann and Marx. Stingl (Posts) had occupied that office in the Cuno cabinet. The Nationalists withdrew because of Stresemann's Locarno policy. The Centrist minister of justice resigned. The Democratic parties demanded the formation of a cabinet which would not have to make concessions to the Nationalists and Luther resigned. Fehrenbach, Center, refused for himself and his party the invitation to form a cabinet. Koch, Democrat, was charged with the formation of a Great Coalition cabinet but returned the commission when the Social Democrats refused to coöperate with the German People's Party. Jan. 15-Dec. 5, 1925.

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1926—Luther, no party, formed a cabinet of the middle parties, in accordance with Hindenburg's instructions. Supported by German People's Party, Democrats, Center, Bavarian People's Party. The only new members of the cabinet were Kuelz (Interior, Democrat), Reinhold (Finance, Democrat) and Curtius (Economy, German People's Party). The cabinet resigned upon a vote of censure brought forward by the Democrats and carried by 176 to 146 on its Flag Ordinance, May 12, 1926. Attempts by Gessler, minister of defense, and by Adenauer, mayor of Cologne, to set up a Great Coalition were unsuccessful. Jan. 20-May 12, 1926.

Marx, Center, was named chancellor and the ministers of the Luther cabinet were reappointed—a compromise having been effected on the flag question. The question of broadening the basis of government was present all through its tenure. A vote of censure was carried Dec. 17 at the instance of the Socialists, 249 to 171, and the cabinet resigned. Curtius (German People's Party) attempted to form a coalition of the Right but failed because of opposition of Center, which demanded a middle party government. Marx attempted to form a middle party government but failed because of opposition of German People's Party. Hindenburg wrote Marx, Jan. 20, 1927[1] instructing him to form cabinet of bourgeois parties. The Center drew up a program and on the 22d Marx informed Hindenburg that he would form a cabinet on the basis of this program. German Nationalists, Center, People's Party and Bavarian People's Party met on Jan. 26 and drew up a program based on Center declaration. The Democrats refused to join because of their distrust of Nationalists' conversion to Republican principles, Jan. 27. Dr. Gessler resigned from Democratic Party on Jan. 28 in order to continue as minister of defense.[2] May 17-Dec. 17, 1926.

1927—Marx, Center, supported by Nationalists, German People's Party and Bavarian People's Party. Stresemann (Foreign Affairs), Curtius (Economy), Brauns (Labor) and

[1] Translation in Finer, *op. cit.*, vol. II, p. 1154, note 1.

[2] Purlitz, *op. cit.*, 1927, A I, pp. 6 *et seq.*

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Gessler (Defense) held over. The Reichstag was dissolved Mar. 21, 1928. The elections held on May 20 showed such a swing to the Left that the cabinet resigned on June 12, 1928. Jan. 29, 1927-June 12, 1928.

1928—Müller, Social Democrat, supported by Democrats and German People's Party and tolerated by Center. Stresemann (Foreign Affairs), Curtius (Economy), Schätzel (Posts) and Gröner, who had succeeded Gessler as minister of defense in the Marx cabinet, held over. Guérard (Center) held Communications and Occupied Territory. In April the Democrats resigned the Ministry of Justice, hitherto held by Koch-Weser, in order to conciliate the Center which had withdrawn Guérard from the cabinet. The latter took the Ministry of Justice, Stegerwald (Center) took Communications and Wirth (Center) took Occupied Territory. When Stresemann died on Oct. 3, 1929, Curtius (German People's Party) took the foreign office and Moldenhauer (German People's Party) took Economy. When the financial program of Hilferding (Social Democrat) encountered difficulties in groups allied to the German People's Party Hilferding resigned Finance and was succeeded by Moldenhauer whose own office was taken by Schmidt (Social Democrat). Müller and the other Social Democrats resigned on Mar. 27, 1930 because the German People's Party and the Socialists could not agree how the money was to be raised to meet the increasing requirements of unemployment insurance. Brüning, Center, was charged with the formation of a cabinet Mar. 28, 1930. The president informed him that in view of the parliamentary situation a coalition majority was unnecessary. June 28, 1928-Mar. 27, 1930.

1930—Brüning, Center, supported by German People's Party, Bavarian People's Party, Democratic Party, Business Men's Party and Conservative People's Party. Curtius (Foreign Affairs), Gröner (Defense), Moldenhauer[1] (Finance), Schätzel (Posts), Wirth (Interior), Stegerwald (Labor) and Dietrich (Economy) held over. Guérard, who had been minister of justice in the previous cabinet, now held the Ministry of Communi-

[1] Succeeded by Dietrich, June 26, 1930.

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cations. Bills introduced by the government to increase taxation in order to cover the deficits and to limit the expenditures in future budgets were defeated by the Reichstag. Accordingly the government issued emergency decrees under Article 48 of the Constitution to achieve its end. The Reichstag, led by the Social Democrats, called for the cancellation of these decrees, 236 to 221, on July 18. The government had previously been empowered by the president to safeguard its program if necessary by dissolving the Reichstag. After the vote and before the house could proceed with the debate on the motion of no-confidence before it Brüning read the order of dissolution. The decrees were, however, revoked in accordance with the Reichstag's wish but the president called on the chancellor to submit new ones. The elections held on Sept. 14 resulted in great gains for the extreme Right and Left at the expense of the middle parties. The Social Democrats, in self-defense against the National Socialists, supported Brüning in the very program and régime because of which they had provoked the dissolution in July. In return for their support they obtained from the Center support in Prussia, where they dominated the government. The continued victories of the National Socialist Party made it appear desirable to rebuild the cabinet so as to capture some support from the Right. The failure of the *Anschluss* afforded Brüning a chance to reconstitute the government. The cabinet's tender of resignation on Oct. 7, 1931 was accepted and Hindenburg immediately charged Brüning with the formation of a new cabinet on a non-party basis. The German People's Party refused to coöperate. Mar. 31, 1930-Oct. 9, 1931.

1931—Brüning, Center, formed a cabinet with a more pronounced leaning to the Right than his previous one but had still to rely on the Social Democrats for support. Brüning took over the Foreign Office. He encountered difficulties in finding someone for the Interior and resolved the question by turning that office over to Gröner who also continued as minister of defense. Dietrich (German State Party) who had succeeded Moldenhauer at Finance in the previous cabinet held over. Steger-

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wald (Labor), Schätzel (Posts), Schiele (Food and Agriculture) held over as did Treviranus (Conservative People's Party) who had been minister without portfolio and now held Communications. Joel (no party) and Warmbold (no party), both of whom belonged politically to the Right, took over Justice and Economy respectively. Curtius, Wirth and Guérard did not reappear in the new slate. The parliamentary majority of the government fell off badly and the government had to carry on by adjourning the legislature and ruling under Article 48. Oct. 9, 1931-May 30, 1932.

As in France, German cabinet changes mean a new deal of the same cards rather than a different deck.[1] The 19 cabinets contained 223 posts which were occupied by 79 different men. Thirty-two held office once; 17, twice; 8, three times; 7, four times; 7, five times; 1, six times; 3, seven times; 1, eight times; 1, nine times; 1, twelve times; 1, fourteen times. Ten different men have been chancellor.

The cabinets varied in size from 10 to 14. As in France, offices are not created to satisfy the expanding needs of the State, but rather to meet the demands of the parties participating in the government. In the second cabinet, for example —the first cabinet of Bauer—there was a minister of justice, but no minister of food. Thereafter the Food ministry finds a place in cabinets. During the Cuno cabinet the office of Treasury was given up. The office of vice-chancellor sinks into oblivion from 1925 under the first Luther cabinet, is briefly resuscitated by Marx in 1927, and is not used again. Reconstruction and Occupied Territories flit in and out of the cabinet without apparent connection with a definite need. Almost one-third of the whole number of cabinet members served in more than one capacity. Sometimes one or more of the ministers held more than one post in the same cabinet, even though there would be a minister or two without portfolio.[2] The reshuffle, to a greater extent than in France, bears some

[1] See Lindsay Rogers, "Ministerial Instability in France", POLITICAL SCIENCE QUARTERLY, March 1931; Finer, *op. cit.*, vol. II, p. 1103.

[2] In the first, third and fourth cabinets.

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relation to the man's ability. Jurists head the Department of Justice, men experienced in labor organizations the Department of Labor, men experienced in the postal service the Department of Posts; and when the men have held more than one post, the posts have been closely allied, such as Economics and Food, Interior and Transportation.

Certain portfolios have shown an astonishingly small turnover. From 1919 to 1932 only three men held the Ministry of Defense—Noske for the first year, Gessler for the next eight years, 1920-1928, and then Gröner. During Gessler's term, Brauns held the Ministry of Labor continuously. The Ministry of Foreign Affairs, which has been of the utmost importance in Germany, was held by eight different men [1] before Stresemann, with whom it settled down for six years.

The chancellor may, or may not, head a department. The first five chancellors were without portfolio. In the two cabinets immediately following, Wirth took the Foreign Office and Finance in the first, and the Foreign Office in the second.[2] Cuno took no additional post, but Stresemann took the Foreign Office in both his cabinets. The next five chancellors took no other post. Marx in his fourth cabinet took Occupied Territories. Müller served only as chancellor, and Brüning followed the same course at first, but took over the Foreign Office after Curtius' dénouement.

With the exception of Bauer, who entered the succeeding Müller cabinet, and Stresemann, who held the Foreign Office in each succeeding cabinet until his death, the practice has been that the retiring chancellor does not take office in the newly-formed cabinet. But chancellors do come back later. In addition to Bauer and Stresemann, Müller became chancellor of the thirteenth subsequent cabinet, eight years later. Wirth

[1] The turnover in other offices from 1919 to the second Brüning cabinet, 1931, is as follows: 14 different men held office in the Ministry of the Interior; 13 in Economics; 13 in Justice; 11 in Finance; 11 in Foreign Affairs; 8 in Food; 6 in Labor; 6 in Transportation; 6 in Occupied Territories; 5 in Treasury; 5 in Posts; 5 in Reconstruction; 3 in Defense.

[2] He relinquished the Foreign Office to Dr. Rosen within two weeks in his first cabinet, and to Dr. Rathenau after three months in his second.

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reappeared, after seven and a half years, as minister of the interior, and as minister of occupied territories in the Müller cabinet. Marx was in the second cabinet after his chancellorship, as minister of justice and occupied territories, and then became chancellor again.

In France, some members of the resigning government usually turn up in the new combination. This has been the invariable rule in Germany down to the formation of the von Papen cabinet.[1]

The cabinet timber is gathered not only from the Reichstag, but also from outside.[2] Of the 79 different men who held office, 44 were members of the Reichstag, and 22 were in all Reichstags since 1920. Twenty-nine were members of the National Assembly, and 19 were members of the old Reichstag prior to 1918. There is thus a nucleus of seasoned parliamentarians, some with experience since 1895. It was not entirely, as Jäckh says, a new machine with new men controlling it.[3] Under the republic, however, eminent political position has been attained by men who would have had no chance under the old régime. The Prussian aristocracy no longer rules. The bourgeoisie and the artisan and laboring classes have shared in the government. Cabinets have contained three counts (Brockdorf-Rantzau, Kanitz and Schlieben), several of the old squirearchy (Rosenberg, Raumer, Guérard and Keudell), one who began life as an apprenticed woodworker (Noske), a miner (Gothein), a metal worker (Giesberts), a locksmith (Severing), a cabinet-maker

[1] The first Bauer cabinet took from the previous cabinet 5 out of 15; second Bauer, 11 out of 11; first Müller, 8 out of 11; Fehrenbach, 5 out of 12; first Wirth, 6 out of 12; second Wirth, 9 out of 12; Cuno, 4 out of 12; first Stresemann, 4 out of 12; second Stresemann, 10 out of 13; first Marx, 8 out of 13; second Marx, 10 out of 10; first Luther, 5 out of 10; second Luther, 6 out of 11; third Marx, 10 out of 11; fourth Marx, 5 out of 11; second Müller, 4 out of 12; first Brüning, 7 out of 11; second Brüning, 8 out of 12.

[2] Herrfahrdt finds a growing objection in certain quarters to non-parliamentarians, because of their lack of experience in parliamentary tactics. *Die Kabinettsbildung nach der Weimarer Verfassung unter dem Einfluss der politischen Praxis* (Berlin, 1927), p. 45.

[3] *The New Germany* (Oxford, 1927), p. 62.

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(Koch) and an agricultural laborer (Brauns). The occupational range of the 79 was as follows:[1]

Law	29	Editors, publishers, writers	4
Various trades	11	Agriculture	4
Professors	9	Politics	3
Business	6	Economists	2
Diplomacy	5	Army	1
Organization work	4	Medicine	1

An interesting fact which appears is that not only is a large majority university-trained, but that of the 79, no less than 46 are either doctors of laws or doctors of philosophy.[2] But they were not youthful doctors. The Reich's cabinet timber has been well seasoned. Of the 79, one was 71 years old when he entered the cabinet, five were in their 60's, 36 were in their 50's, 30 were in their 40's, two were 39 years old, one was 37, one was 32, one was 29, and for two information was lacking. Twenty-seven were still in the 1930 Reichstag or in the Brüning cabinet.

The chronology of cabinets given above discloses the rareness of dismissals by the Reichstag. The interpellation, that dramatic mechanism which brings about cabinet crises in France, does not operate in Germany. Interpellations are permitted, but they serve the purpose for which they were originally intended, that of securing information, and are not followed by a vote of confidence. To be sure, Article 54 says that the cabinet must have the confidence of the Reichstag, but the provision has been construed negatively. It is interpreted

[1] There is a great paucity of reliable information concerning the men, and there are gaps where information is lacking. In the matter of occupation, particularly, the information available did not fall within clear-cut categories. What seemed to be the dominant activity or the culmination of endeavor was selected. The material was gathered from *Wer Ist's* (Berlin), Kurschner's *Deutscher Gelehrten Kalender* (Berlin), *Reichstagshandbuch, Handbuch des öffentlichen Lebens*, using all issues since 1919.

[2] For French and British comparisons, see John G. Heinberg, "The Personnel of French Cabinets, 1871-1930", *American Political Science Review*, May 1931; Harold J. Laski, *The Personnel of the English Cabinet 1801–1924* (London, Fabian Society, 1928); also in *American Political Science Review*, February 1928, and *Studies in Law and Politics* (New Haven, 1932).

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to mean that the cabinet is not affirmatively required to appear before the Reichstag for an express vote of confidence. Presumably the president should not appoint a chancellor who will certainly fall before a vote of no-confidence, but constitutionally he is practically unhampered. Again, there is no express constitutional requirement that a cabinet shall resign if the Reichstag fails to give it a vote of confidence, although Stresemann did resign when he failed to get the express vote of confidence which he demanded of the Reichstag—November 23, 1923.[1] It is argued, however, that failure to give a vote of confidence has not (under Article 54) the same effect as that which attaches to a vote of no-confidence. Poetzsch[2] lays it down that the government is presumed to have the confidence of the Reichstag until it is expressly withdrawn. In the case of the first Marx cabinet a proposed vote of confidence was replaced by the defeat of a vote of no-confidence—December 6, 1923. Only two votes of no-confidence have been carried: on the second Luther cabinet, May 12, 1926, and the third Marx cabinet, December 17, 1926.[3] Down to 1931, five

[1] Stresemann declared that he demanded the vote of confidence because the parliamentary system was new, with no traditions, and it was well for the Reichstag to be compelled to assume responsibility. *Les Papiers de Stresemann*, vol. I, p. 143.

[2] *Op. cit.*, 1925, p. 168. The president of the Reichstag, Löbe, differs in view from Poetzsch upon the question of a failure to bring in a vote of confidence. Upon the occasion of the refusal to vote confidence in the Stresemann cabinet in 1923, as also when the motion came on to a vote in the case of the Wirth cabinet in 1922, Löbe declared that a refusal of a vote of express confidence would involve the resignation of the cabinet as not possessing the confidence of the Reichstag. Inasmuch as Stresemann's was the only case where the vote of confidence was refused and since defeat was deliberately courted in that instance the question is unsettled. (Cf. Löbe's remarks to the Reichstag, July 10, 1928 in Poetzsch, *op. cit.*, 1929, p. 105.)

[3] Luther, May 12, 1926, by vote of 176-146, *Stenographische Berichte und Anlagen* (Berlin, 1926), p. 7225; Marx, December 17, 1926, by vote of 249-171, *ibid.*, p. 8657. No-confidence votes against individual members of the cabinet have not been successful, though attacks have often been leveled against ministers. Finer seems to be in error when he suggests the contrary (*op. cit.*, vol. I, p. 1104). Cf. Purlitz, *op. cit.*, 1929, vol. I, In. p. 44, Severing attacked March 18; p. 45, Hilferding, March 21; p. 112, Dietrich, June 3; p. 115, Curtius, June 7; p. 119, Severing, June 11; p. 120, Severing, June 12; p. 126, Hilferding, June 20; p. 138, Stresemann, June 27.

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motions for votes of no-confidence were defeated by the carrying of votes of express confidence; thirty-four motions of no-confidence were simply defeated. Twenty-four motions for votes of confidence were carried.[1] The formulae employed to express the intensities of party feeling toward different governments can vary greatly; but the fact is that internal dissensions or party decisions—not the Reichstag—unmake ministries.

But the confidence of the president of the Reich is also necessary. Without it, a German cabinet cannot last unless, perchance, it has strong backing from the Reichstag. That is an unmistakable lesson of the recent removal of Brüning. To put the matter thus baldly, however, ignores the question of personality, which is as fascinating as it is important, and to the foreign observer irritatingly obscure.

Historians sometimes suggest that certain statesmen have continued their activities at the price of their reputations: that having finished particular jobs brilliantly, they should have retired. To this principle, however, President von Hindenburg is a striking exception.

[1] Scheidemann and the first Bauer cabinet got one vote of confidence apiece. The second Bauer and first Müller got one vote of confidence each and each defeated one motion of no-confidence. The Fehrenbach cabinet got three votes of confidence and five times defeated motions of no-confidence. The first Wirth cabinet obtained one vote of confidence and twice defeated motions of no-confidence. The second Wirth cabinet got three votes of confidence and three times defeated motions of no-confidence, twice by obtaining votes of confidence. Cuno twice obtained votes of confidence and defeated motions of no-confidence twice. The first Stresemann cabinet defeated a motion of no-confidence by obtaining a vote of confidence. The second Stresemann cabinet obtained two votes of confidence and resigned upon its failure to obtain a vote of confidence upon its express demand. The first Marx cabinet once defeated a motion of no-confidence. The second Marx cabinet got one vote of confidence to defeat a motion of no-confidence and on three other occasions obtained simple defeats of motions of no-confidence. Luther's first cabinet was twice voted confidence and defeated motions of no-confidence five times. The second Luther cabinet got two votes of confidence, defeated motions of no-confidence on three occasions and finally resigned when a fourth motion of no-confidence was carried. The third Marx cabinet got one vote of confidence, defeated five motions of no-confidence and resigned upon being defeated upon a sixth motion of no-confidence. Marx's fourth cabinet got one vote of confidence and defeated three motions of no-confidence. Müller's second cabinet obtained one vote of confidence and defeated three motions of no-confidence.

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In 1915 he was the legendary hero of Tannenberg—the maker of Germany's first success against Russia. During the later years of the war, he was a symbol of the Prussianism against which the Allies were fighting. What would the Allied cartoonists have done without him? In 1925, when he was elected president of the Reich, he was almost universally regarded as a portent of monarchical or Fascist reaction. Few commentators saw in his election a possible bulwark of the Weimar republic because the principal anti-republican symbol would be henceforth pledged to support republican institutions. For seven years, however, Hindenburg was the chief support of the republic. He took his oath of office seriously. He strove to have cabinets which would procure the broadest possible backing from the Reichstag. He seemed to have no objections to a Socialist chancellor, and was willing loyally to support him. In 1932, when he stood for reëlection, Hindenburg was opposed by the extreme Right and the extreme Left—by reaction and by Communism — and other countries hailed his reëlection as a republican triumph. Yet a few weeks later he dismissed the chancellor who had contributed largely to, if indeed he did not make possible, that triumph, and his act certainly made the continuance of parliamentary government more difficult.

Chancellor Brüning for two years was required to be a strong man when by temperament he is an intellectual, knowing that the quick decisions to which events forced him must in part be wrong ones. Outside of Germany, Brüning was regarded as a man of peace—as a good European—but, while he was chancellor, the customs union with Austria was concluded and reparations were repudiated. Brüning was a defender of the republican régime and has seemed a particularly strong defender because he was the alternative to the Hitlerites. Yet for practically the whole of his premiership, he governed the country under a cabinet dictatorship. Here are contrarieties of personality which, it must be recognized, play havoc with constitutional theories.

The Brüning government, acting under the extraordinary authority conferred by Article 48 of the German Constitution,

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carried to extreme lengths the ordinance-making powers which in all countries are constantly increasing in importance. But such were the inescapable exigencies of the situation, that the cabinet which replaced the Brüning government was compelled to extend the use of decrees—both on economic matters, and, even more drastically, in political fields. In thus stretching the scope of Article 48 to its utmost limit, the von Papen government stirred pools of separatism the existence of which was known, but which had been dormant. Thus the issue of Reich versus Länder was again raised in acute form. But these questions warrant separate consideration.

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THE DANUBE STATES AND THE TARDIEU PLAN

IN the press, in diplomatic circles and in the chancelleries of Europe, there has been much discussion of the Tardieu project for the economic reorganization of Central Europe. However, I am under the impression that there is much misapprehension of this question, even in Europe.

First of all, the term " Central Europe " in this sense is open to misconstruction. By Central Europe we mean that section of the European continent which stretches to the east of Holland, Belgium, France and Switzerland, and to the north of Italy and the Balkan Peninsula, as far as Russia. The Baltic States, which belong to the northern group, cannot be regarded as a part of Central Europe. Tardieu's plan, however, did not embrace all this Central European territory outlined above. The countries concerned are those lying to the east of Passau in the Danube basin; before the war most of them were parts of the Austro-Hungarian monarchy, whose disintegration by the peace treaties caused the economic and political chaos now reigning in this region. To be precise, the countries concerned are Austria, Hungary, Czechoslovakia, Yugoslavia and Rumania.

A good many people regarded the Austro-Hungarian monarchy as an historical anachronism and looked upon it with antipathy because it was not a national unit but a conglomeration of eleven small nations which, with the exception of one or two, were believed to be held together by force. Today, however, this harsh opinion is gradually yielding to a more equitable judgment. The Austro-Hungarian monarchy may have been badly organized; possibly some of the nations living on its territory lacked sufficient freedom or autonomy; the monarchy's leaders surely committed political mistakes; but, looked at from the angle of our present preoccupations, the Austro-Hungarian monarchy, in point of fact, was nothing but a political and economic Pan-Europe of the small nations of the Danube basin. On a small scale, it was the same edifice

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which the leaders of Europe are anxious to build up somehow today on a wider European basis, in order to safeguard the endangered political and economic peace of the continent.

The Austro-Hungarian monarchy gave the small nations that lived within its borders a far greater security than any of them may enjoy in isolation since the monarchy has been dissolved. Before the war, the defensive force of a Great Power kept watch over the security of one and all. This also ensured peace between the small nations. Their political conflicts were settled, not by arms, but in the political field. Today the nations on this same territory confront each other, often with feelings of increasing envy and hatred. In consequence, none of them feels secure. This accounts for the fact that these small nations today keep up, to their financial ruin, armies that are, jointly, three times as large as that maintained by the former monarchy on the same territory. These small nations enjoyed during the lifetime of the monarchy all the advantages of a large political plant, because their voice, heard through the megaphone of a Great Power, could assert itself in the European Concert, whereas today their interests are at the mercy of the Great Powers. The fact that, so far, little Austria and vanquished Hungary have been the only ones to suffer from this state of things is no guarantee against a reversal of the situation to the disadvantage of the others, if a turn of the tide comes one day.

In the old days the small nations on this territory also enjoyed the advantages of a large economic plant. The 550,000 square kilometres and fifty-five million inhabitants of the Austro-Hungarian monarchy formed a complete unit which provided for its own needs. Its agricultural produce entirely sufficed for the demands of its alimentation; it possessed all necessary raw products, coal, timber, oil, metal. Its industries supplied all the needs of the population. Moreover, this territory formed a perfect autarchy because its agriculture was not compelled to seek foreign markets and its industries depended on exports only to a small extent. It follows that this closed economic unit was able to protect its industries as well as its agriculture against the competition of other

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countries. If the price of agricultural products on world markets fell below production costs, the monarchy was able to defend its agriculture from ruin by raising tariffs. If industries were threatened, tariff protection again came to their aid, since they did not depend largely on exports. In contrast to the present situation, the monarchy assured to the small nations the advantage of a market of fifty-five million consumers rather than from six to eight millions. They could absolutely count upon this market, could reach it without intermediate customs, and could be sure of commanding a price that corresponded to production costs. This explains why the population of this territory enjoyed comparative prosperity before the war, although the monarchy's homogeneous economic development was seriously impeded by language differences, dissimilarities of culture and disparity of productive power among the various nations. The disintegration of this economic unit is the principal reason for the rapid sinking of the prosperity level. Deprived of their former means of defense, the small Danubian states now experience with double severity the catastrophic effects of the world crisis.

Nevertheless, to weld the disintegrated parts of this territory once more into a political unit on the old basis must be regarded as being out of the question. If a glass tumbler is shattered, the fragments may possibly be pasted together again, but it will have to be kept in a glass case at best. It will never again be an object for use.

Is it possible, however, to reconstruct the economic unit in some form? That is the great problem which will decide the fate of the sixty to sixty-five million people who live in the Danube basin. It will also decide the fate of Europe.

Two great questions are pending in Europe today. On their solution depends Europe's financial and economic recovery. One is the German reparations problem which has unfortunately proved insoluble during the last twelve years. The other is the question of the economic existence of the small European nations, above all of those living in the Danube basin.

Many people probably think that the solution of the reparations problem would assure the recovery of Europe. Supremely

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important, however, as this question may be in all other respects, the reparations problem has only an indirect bearing upon the difficulties of Central Europe. Austria has no reparations to pay; the reparation annuities of Hungary and Bulgaria are not high enough to account for their financial ruin. Rumania, Yugoslavia and Czechoslovakia, being victorious states, have no reparations to pay, but receive payment from others. Yet I firmly believe that they, too, must be ruined if the economic organization, or rather, I should say, disorganization of the Danube basin remains what it is today. Now, if the economic existence of these small states is gradually destroyed, if their production is impaired, if the capital invested in them becomes valueless, the result, seen from the point of view of the world market, is nothing less than the elimination of sixty to sixty-five million consumers from the circle of economic life. From a world standpoint it would be equal to the trouble caused by the temporary isolation of Russia after the Revolution, for although the population of Russia is two and a half times as large as that of the territory involved here, yet by reason of its far lower standard of living its consumption certainly did not bulk larger in the economic world.

Can it be conceived that the economic ruin of such a large unit of production and consumption should not react upon the economic life of the neighboring states, of entire Europe? Can it be conceived that such destruction should occur without political and social convulsions? I should not like to be misunderstood. At present there is fortunately no prospect of such developments, but time does not stand still, and it is necessary to act.

The main point is that the correct plan of procedure, which must necessarily give primary consideration to economic conditions, should not be spoiled by politics. Unfortunately this question, like every economic question in Europe, is at the same time a political problem. It is very difficult for Americans to understand European affairs because, for political reasons, in the economic multiplication table of Europe two times two do not make four but sometimes three and sometimes five, accord-

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ing to whether it is victors or vanquished, Great Powers or small, allies or competitors who are concerned in the matter. The situation is not very promising. Only too often the panaceas prescribed for Central Europe have been compounded with an admixture of political motives. That is the reason why I do not wish to deal with the revision of the peace treaties in connection with this question, but merely to remark that in my opinion an adequate revision of these treaties would prove the most suitable and the safest method of putting an end to the chaos in the Danube basin. Undoubtedly also the maintenance of the *status quo* at all costs has a disturbing effect. Nevertheless, just because the question of peace is a question of politics, I will refrain from touching upon it in connection with the subject in hand; my criticism of the projects proposed so far will be purely from the economic angle.

II.

Let us examine these projects one by one.

As far as I can remember, the first project was advanced by England in Geneva two or three years ago, with a view to bringing about a customs truce. No plans aiming at political predominance were in the background of this project. It failed to be realized, but in any case it could not have solved the agricultural problems of the Danube states. It might have opened up markets in one or two countries for some products, but it would have been of no avail against the critical fluctuation of world prices.

Subsequently a number of customs-union plans were proposed with the purpose of joining into a single large unit territories whose economic resources and needs would be mutually complementary. These plans may be divided into two distinct classes, according to whether they have been devised, under the plea of putting an end to the economic crisis, for the purpose of preventing Austria from joining Germany, or for the contrary reason.

To the first group belongs the plan of a customs union between Czechoslovakia, Austria and Hungary which is embryonically outlined in the peace treaty. This plan, how-

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ever, would have been quite unsuitable to cure the economic troubles of the Danube states. It would have placed Austria's industries in a more difficult position than they are in today, for the competition of Czech industries would have exercised pressure upon their inland markets; and as for the Hungarian market, that, too, would have been greatly limited for Austria, to the advantage of the Czech trade. The situation of the other agrarian Danubian states would have been worse than it is now, for the markets of Austria and Czechoslovakia would have been closed to their agricultural produce.

Another plan, equally aiming at political purposes, was the Danube Confederation idea proposed by Czechoslovakia's minister of foreign affairs. In this instance a customs union was projected between five Danubian states, Austria, Hungary and the three countries of the Little Entente. This plan was intended to kill two birds with one stone: on the one hand to alienate Austria from Germany, on the other hand to draw Hungary, together with Austria, into the Little Entente's political sphere of interest. Economically this project could not prove satisfactory to the three agrarian states, for, as regards almost every kind of agricultural produce, Austria and Czechoslovakia do not offer sufficient markets for the surplus production of the other three countries. In consequence such a union would have ruined Czech and Austrian agriculture, which now enjoy high tariff protection, without helping the three agrarian states. The five states together would have had a great surplus of agricultural goods, and in order to place these on German, Italian, Swiss and other markets, they would have been obliged to give important concessions in the way of industrial tariffs, which would, in their turn, have placed Austria's industries in a difficult position. It follows that, from an economic viewpoint, the plan was still-born, not to mention the fact that it would have necessitated on the part of Austria and of Hungary a political *salto mortale* which neither of these countries was prepared to undertake.

A project with the contrary political tendency was proposed by Austria and Germany in 1931, when the two countries made

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preparations to establish a customs union, and declared that other countries would be welcome to join this union later. The fate of this project is well known. France and her allies regarded it merely as the realization of the idea of merging Austria into Germany. The plan gave no reassurance to the Central European agricultural states. Considering the exaggerated protectionist tendency prevalent in Germany as an unavoidable consequence of the reparations situation, the agrarian countries had reason to fear that they would lose even the limited market which Austria had afforded them so far. To join the union would in any case have been politically impossible for the agrarian states belonging to the sphere of interest of the Little Entente.

Besides all these projects, in the background of which more or less political tendencies were hidden, the Danube agricultural states themselves worked out a plan aiming at the improvement of their situation, at the Bucharest and other conferences during the past year. According to this plan, the industrial countries which are the natural outlets for the Danube agricultural states and which maintain protective tariffs on agricultural produce, that is to say, Austria, Czechoslovakia, Germany, Italy, Switzerland, etc., were to establish preferential tariffs for certain quotas of agricultural products from the agrarian states. The entire amount of these quotas, however, would not have sufficed to fill the import demands of the industrial countries concerned. No other states could have claimed the preferential tariffs accorded to the Danubian agricultural countries. The realization of this plan would have brought about a substantial improvement in the situation of the Danubian agricultural states. The critical situation of their agriculture is chiefly due to the fall of world prices of agricultural products below the level of production costs. The other trouble is the increasing tendency of agricultural import states to decrease the amount of their agricultural imports by artificially increasing their own production. The realization of the above-mentioned plan would have alleviated both difficulties. In consequence of the preferential tariffs, the agricultural products of the exporting countries would have fetched

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higher prices in the importing countries, prices above the world market level, and since the quotas enjoying the concession would not have exhausted the importing countries' demands, the prices on these protected markets would not have crashed. For the same reason the systematic realization of this project would by no means have strengthened the prohibitive system now maintained by importing countries in order to avoid price-demolishing competition in their own markets.

This project was discussed in Geneva but only partially accepted, although in my opinion it would have done no harm to the trade of overseas countries.

Finally, during the past year, there has been much ado about the project which was put forward by M. Tardieu as premier of France. This plan was almost identical with the one outlined above, with one important difference. Whereas the project of the Bucharest conference called for preferential contracts between the Danubian agricultural states and all those Central European importing states which are the natural markets for the surplus agricultural production of the Danube basin, Tardieu's plan limited the markets in question to Austria and Czechoslovakia, and excluded the other countries—Germany, Italy, Switzerland, etc. That is to say, it was suggested that these countries should come to the aid of the Danubian states by taking over a certain fixed amount of their grain. That is the difference between the two projects, and I must say it is by no means to the advantage of the French plan. Yet the Tardieu plan had two indisputable merits: that of at last having broached the problem of the Danubian states' economic recovery in a manner that will not allow it to be set aside again, and that of finally breaking with the "most favored nation" clause, which has hitherto been an obstacle to economic progress in Central Europe. Still, the drawback spoken of above remains a drawback.

The position is this: the joint surplus agricultural produce of the three or four Danubian agricultural states, namely, Hungary, Rumania, Yugoslavia and Bulgaria (the last-named must also be taken into consideration), far exceeds the joint import demands of Austria and Czechoslovakia in almost

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every commodity, especially in wheat, but also in all other kinds of grain, in cattle, pigs, sheep, horses, eggs, poultry, dairy products, wine, fruit, vegetables, sugar and spirits. Since the contingents these countries are able to absorb do not nearly exhaust the surplus produce requiring a market, the remaining surplus could only be placed elsewhere at world market prices. In consequence, the price-raising effect of the proposed system upon the inland markets of the agrarian countries would be *nil* and thus the principal advantage, for the sake of which the Danube states are being advised to join their economic forces, would by no means be attained.

Clearly the project needs supplementing, for the Danubian agricultural states cannot do without the Italian, the German, the Swiss markets. If, on the other hand, they are permitted to make contracts on a preferential basis with these countries also, then the Tardieu plan is in fact nothing but a return to the project proposed by the agricultural states themselves at the Bucharest conference.

It would be a catastrophe if this project were frustrated by lack of understanding or unreasonable political jealousy, for in that case the hopes that have been aroused would be followed within a very short time by entire disillusionment. The world would be richer by a disappointment that would have cost a lot of time, and the economic crisis would continue its work of destruction. But is there a serious political reason for limiting the markets in this way instead of trying to realize at once the only solution that is rational from the economic viewpoint?

Or can there be any fear of the danger that the Bucharest conference's plan could bring about Germany's economic hegemony in Central Europe? I am not afraid of that danger. In the first place, Germany today will not and cannot grant the Central European agricultural states such lavish quotas that they could grow dependent on her by dint of her absorption of their entire export surplus. She cannot be so lavish because the interests of her own agricultural production render this impossible. We Hungarians who are on friendly terms with Germany could tell a thing or two about this. On the

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other hand, the interests of Germany's great industrial exports, directed toward other countries and overseas, do not allow her to be over-lavish on that score either. The position would be different if it were a question of establishing a customs union; that, however, does not come under discussion. Such a danger may be feared still less if we consider that Italy's capacity of absorbing agricultural products in many respects exceeds that of Germany at the present time, and that Italy is a better market for Hungary and Yugoslavia than Germany is. By dint of their geographical situation these two countries will surely cultivate the Italian market to a greater extent in the future, and this circumstance alone affords a guarantee that even in case Germany should attempt to attain economic supremacy in Central Europe, such an attempt could have no serious results.

There is no reason, therefore, to protect the small Danube states from dangers that for the most part are exaggerated, and against which the small nations living in the Danube basin will be able to defend themselves if they are given freedom to organize their economic interests according to their own judgment. The decisions of the Bucharest conference have been voted for the most part by countries which—with the exception of Hungary—are avowed allies of France. Why should we suddenly suspect them of wanting to serve the purposes of Germany's economic supremacy at all costs? If the Powers are anxious to come to the aid of the Danubian states, let it be their first concern to allow these countries to decide which markets they most need.

Neither should overseas agricultural exporting countries be narrowminded on that score. There is no question of the Danubian agricultural states conquering new markets to the disadvantage of others, but merely of their being enabled to sell the same amount of products that they have been exporting to the same markets heretofore, henceforward as preferential contingents at prices higher than the world market price.

It has grown customary since the World War for the Great Powers to exercise over certain small states a tutelage which is often insupportable even when the intentions are of the best.

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The Powers interfere in affairs that they have no call to settle and in cases where interference would have been inconceivable before the war. Their help is often made dependent upon conditions that detract from the value of their aid. They wish to exercise control over affairs that civilized countries are fully capable of conducting, and their demands, in consequence, are felt to be humiliating. As a result, an intolerable atmosphere has developed in Central Europe. Frequently the League of Nations follows the same practice of intervention. Our request is that if they want to help us, this should not be regarded as a reason to bind us in chains: let them allow us to go on living in our own way. We are sorely in need of help, and to obtain it is our own primary interest. But it is equally in the interest of the great nations. No one can profit today by the economic destruction of others: he will be irretrievably drawn into it himself.

My conclusions, therefore, are the following:

(1) Let the Danubian agricultural states be allowed to conclude preferential agreements concerning their surplus agricultural produce with all those European industrial states which have been and are the natural markets of their surplus produce.

(2) Let Austria be allowed to conclude preferential agreements concerning her industrial exports with her neighbors, so as to assure her market.

(3) Let the succession states of the Austro-Hugarian monarchy, or any two or more of them, be allowed the freedom to agree even upon a customs union among themselves, if they find that their economic interests demand and their inclinations and judgment induce them to do so.

If this is made possible, the situation in the Danube basin will be readjusted within a short time, and new life will blossom over the ruins of the present. All narrow-mindedness, all restrictions, all inhibitions on this freedom will not serve the purpose of reconstruction but will only perpetuate the evils that are weighing upon Europe today.

COUNT STEPHEN BETHLEN
FORMER PRIME MINISTER OF HUNGARY

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THE "SATIRE" OF THORSTEIN VEBLEN'S *THEORY OF THE LEISURE CLASS*

THORSTEIN VEBLEN'S celebrated *Theory of the Leisure Class* has customarily been viewed as a satire upon the mannerisms of the upper class. Off-hand it would seem the height of impertinence and, to the so-called disciples of Veblen, perhaps even sacrilege, to suggest that the book may be a drastic dissection of business enterprise. No one would consider Herbert Spencer's work satire. Yet what Veblen did in *The Theory of the Leisure Class* was to use Spencer's material, particularly his *Principles of Sociology*, to reverse Spencer's position. Veblen's intention, satirical or otherwise, becomes clear only when the relationship between his work and Spencer's is brought under scrutiny.

Veblen always felt that he was influenced by Spencer. In *The Theory of the Leisure Class* and elsewhere he coupled Spencer's evolutionism with that of Darwin.[1] At the same time he maintained that Spencer's evolutionism was constrained by the belief in the natural right of property as expressed in the system of free contract.[2] For Spencer, this system was the rational outcome of the universe, the ideal toward which the course of nature ever tends. In other words, Spencer made the present order of business enterprise the ideal of nature. Thus there is "normal" progress from the culture of the cruel and ignorant savage in the rigorous system of status, to the beneficent modern system of free contract. This

[1] *The Theory of the Leisure Class* (New York, 1899), pp. 217-218; "Gustav Schmoller's Economics" (1901), republished in *The Place of Science in Modern Civilization and Other Essays* (New York, 1919), p. 263.

[2] "Professor Clark's Economics" (1908), republished in *The Place of Science in Modern Civilization*, p. 192. For an amplification of the terminology here used see "Preconceptions of Economic Science", II (1899), republished in *The Place of Science in Modern Civilization*, p. 167; and "The Limitations of Marginal Utility" (1909), republished in *The Place of Science in Modern Civilization*, p. 244.

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"identification of the categories of normality and right", said Veblen, "gives the dominant note of Mr. Spencer's ethical and social philosophy."[1] So pervasive was this "meliorative trend in the course of events"[2] in Spencer's thinking, that even though he had an unfavorable opinion of organized religion still he held that the "fostering of respect for proprietary rights . . . must be counted among the beneficial disciplines which Ecclesiastical Institutions give."[3]

For Spencer there were only two forms of social organization: the system of free contract and the system of status. Spencer, in accordance "with the line of argument of his *Principles of Sociology*", said Veblen, maintained that "whenever the modern system of contract or free competition shall be displaced, it will necessarily be replaced by the only other known system—that of status; the type of which is the military organization, or, also, a hierarchy, or a bureaucracy".[4] This distinction between the system of status and that of free contract was viewed as a distinction between the "militant" and industrial types of behavior, or between "ceremonial institutions" in a broad sense and "industrial institutions". In other words, for Spencer, "complete individualisation of ownership is an accompaniment of industrial progress".[5] Acquisition was identified with production, as is indicated by the title ("Acquisition and Production") of the first chapter of the concluding section ("Industrial Institutions") of the *Principles of Sociology*. But for Veblen only by an act of magic could the principle of property be viewed as a principle of production.[6] Ownership is not a "simple and instinctive notion that is naïvely included under the notion of

[1] "Preconceptions of Economic Science", III (1900), republished in *The Place of Science in Modern Civilization*, p. 167, footnote.

[2] *Ibid.*, p. 150, footnote.

[3] *Principles of Sociology*, paragraph 648.

[4] "Some Neglected Points in The Theory of Socialism" (1891), republished in *The Place of Science in Modern Civilization*, p. 401.

[5] *Principles of Sociology*, paragraph 541.

[6] "The Limitations of Marginal Utility", *op. cit.*, pp. 236-237; and *The Theory of the Leisure Class*, p. 269.

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productive effort", nor is it the similar notion of "habitual use".[1]

The principle of property was acknowledged to be that of acquisition. How could an act of acquisition constitute an act of "vulgarly productive" work? The life of a pure system of property, that is, pure acquisition, could not lead to industrial activity but only to predation. The property class is an "industrially exempt" class. It "lives by the industrial community rather than in it," said Veblen, "its relations to industry are of a pecuniary rather than an industrial kind."[2] It is the leisure class. The "leisure class" and "ownership", said Veblen, "result from the same set of economic forces", and "are but different aspects of the same general facts of social structure."[3]

The "confusion" of the two was "necessary" in Spencer, for production and acquisition were identical, as demanded by the pecuniary logic. But Veblen said in his basic article for *The Theory of the Leisure Class* that in the life of predation, business or otherwise, men's actions are judged from the standpoint of the fighting man. "What is recognized without reflection and without misgiving as serviceable and effective in such a group is fighting capacity. Exploit becomes the conventional ground of invidious comparison between individuals, and repute comes to rest on prowess."[4]

The preconception of the natural right of property made Spencer maintain that property is not coercive. "Though now the worker is often mercilessly coerced by circumstances and has nothing before him but hard terms, yet he is not coerced by a master into acceptance of these terms".[5] Veblen

[1] "The Beginnings of Ownership", *American Journal of Sociology*, Nov. 1898, p. 360. This paper, along with one which preceded it, "The Instinct of Workmanship and the Irksomeness of Labour", and one which followed, "The Barbarian Status of Women", presented, according to Veblen, "a more explicit statement of the theoretical position involved" in *The Theory of the Leisure Class*, p. v.

[2] *The Theory of the Leisure Class*, p. 247. [3] *Ibid.*, p. 22.

[4] "The Instinct of Workmanship and the Irksomeness of Labour", *American Journal of Sociology*, September, 1898, p. 199.

[5] *Principles of Sociology*, paragraph 845.

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agreed that *de jure* the system of free contract is one of "voluntary co-operation", but *de facto* it is a system of "compulsory co-operation". The coercing circumstances are those of the mastership maintained by the holders of property. Consequently the life which characterizes a system of status, a militant type of society, characterizes the system of free contract. Instead of being opposed, the system of status and that of ownership are related as organic features of modern business culture. In other words Veblen drew a distinction between pecuniary institutions which designate the leisure-class life, the life of property, and truly industrial institutions which characterize the life of industry.

With clear insight Spencer noted in the chapter called "Inter-Dependence and Integration" that "the industrial organization presents a universal network uniting each workshop with many other workshops, each of which is again united with many others";[1] but industrial interdependence was viewed in business terms:

> . . . . Immensely more complex than at first appears is the inter-dependence of businesses and far closer than we at once see has become the integration of them. An involved plexus having centers everywhere and sending threads everywhere, so brings into relation all activities, that any considerable change in one sends reverberating changes among all the rest. From those far past days when flint-scrapers were used to shape clubs, the co-operation of appliances, then commenced, has been increasing; until now the tools as well as the men form an aggregate of mutually dependent parts.

The preconception of the natural right of property prevented Spencer, according to Veblen, from seeing that "industrial integration" was obstructed by the "heterogeneity" of business enterprise; that the disturbances of industry were due to the rôle of business as the dictator of the community's welfare. So identical was the mechanical process with business, in Spencer's view, that it formed the basis of his attack on labor organizations.

> Blind to the significance of the innumerable facts surrounding them, multitudes of men assert the need for the "organization of labour". Actually they suppose that at present labour is unorganized. All these marvellous

[1] *Principles of Sociology*, paragraph 765.

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specializations and these endlessly ramifying connections, which have age by age grown up since the time when the members of savage tribes carried on each for himself the same occupations, are non-existent for them; or if they recognize a few of them, they do not perceive that these form but an infinitesimal illustration of the whole.[1]

To Spencer socialism was a militant system, a system of status, a system of compulsory coöperation; to Veblen, the system of business enterprise was a system of status, expressive of a militant society, and socialism was an expression of the requirements of the machine process of modern industrial society, a system of voluntary coöperation. Whereas the "near future"[2] held forth for Spencer the promise of the spread of free contract, it held for Veblen the "natural decay of business enterprise". The questioning by Veblen in 1891, in "Some Neglected Points in The Theory of Socialism", of Spencer's insistence that socialism designated a system of status, was elaborated in *The Theory of the Leisure Class* into a constructive criticism of the dominant pecuniary logic so well presented in the *Principles of Sociology*.

To characterize what was to him the modern system of status, Veblen could draw on Spencer's material and opinions and thereby play havoc with Spencer's conclusions. Instead of assuming as did Spencer that the system of free contract marked progress over the system of primitive communism, Veblen made it mark a retrogression from that savage state where "individual ownership does not exist". As the ideal character of the life of industry Veblen set up the ideal savage, that "presumptively primitive type of character" whose "traits are truthfulness, peaceableness, good-will, and a non-emulative, non-invidious interest in men and things."[3] In fact Spencer himself furnished examples. "Characters are to be found", said Spencer, "among rude peoples which compare well with those of the best among cultivated peoples. With little knowledge and but rudimentary arts, there in some cases go virtues which might shame those among ourselves whose

[1] *Ibid.*, paragraph 767.

[2] Title of chap. xxiii of the *Principles of Sociology*.

[3] *The Theory of the Leisure Class*, p. 224.

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education and polish are of the highest."[1] The Todas, whom Veblen cited as an example of the "ideal" savage life—the life "in which there is no hierarchy of economic classes"[2]—were described by Spencer as "considering falsehood one of the worst of vices." "In respect to honesty some of these peoples classed as inferior, read lessons to those classed as superior". It is likewise with "the general virtues of these and sundry tribes". For instance—

> the Sántal "possesses a happy disposition", is "sociable to a fault", and "the sexes are greatly devoted to each other's society". The Bodo and Dhimáls are "full of amiable qualities". . . . In like manner, from accounts of certain Malayo-Polynesian societies, and certain Papuan societies, may be given instances showing in high degrees sundry traits which we ordinarily associate only with a human nature that has long been subject to the discipline of civilized life and the teachings of superior religion.[3]

When Spencer contrasted the militant and industrial types of society, he referred to the peaceable primitive savage.

> We then inquired what type of individual nature accompanies the industrial type of society; with the view of seeing whether from the character of the unit as well as from the character of the aggregate, confirmation is to be derived. Certain uncultured peoples whose lives are passed in peaceful occupations, proved to be distinguished by independence, resistance to coercion, honesty, truthfulness, forgiveness, kindness.[4]

He was not unmindful of the modern contrast.

> . . . . If, on the one hand, we contemplate the utterly uncivilized Wood-Veddahs, who are described as "proverbially truthful and honest", "gentle and affectionate", "obeying the slightest intimation of a wish, and very grateful for attention or assistance", and of whom Pridham remarks—"What a lesson in gratitude and delicacy even a Veddah may teach!" and then if, on the other hand, we contemplate our own recent acts of international brigandage, accompanied by the slaughter of thousands who have committed no wrong against us—accompanied, too, by perfidious breaches of faith and the killing of prisoners in cold blood; we must admit that between the types of men classed as uncivilized and civilized, the differences are not necessarily of the kind commonly supposed.[5]

[1] *Principles of Sociology*, paragraph 437.

[2] *The Theory of the Leisure Class*, p. 6.

[3] *Principles of Sociology*, paragraph 437.

[4] *Ibid.*, paragraph 575.

[5] *Ibid.*, paragraph 437.

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After presenting so favorable a picture of the original peaceable savage, Spencer might well anticipate the reader's query:

"How is this conclusion to be reconciled with the conception of progress?" most readers will ask. "How is civilization to be justified if, as is thus implied, some of the highest of human attributes are exhibited in greater degrees by wild people who live scattered in pairs in the woods, than by the members of a vast, well-organized nation, having marvelously-elaborated arts, extensive and profound knowledge, and multitudinous appliances to welfare."

The answer, Spencer continued, could best be conveyed by an analogy:

As carried on throughout the animate world at large, the struggle for existence has been an indispensable means to evolution. . . . Without universal conflict there would have been no development of the active powers. . . . . Among predatory animals death by starvation, and among animals preyed upon death by destruction, have carried off the least-favourably modified individuals and varieties. Every advance in strength, speed, agility or sagacity, in creatures of the one class, has necessitated a corresponding advance in creatures of the other class; and without never-ending efforts to catch and to escape, with loss of life as the penalty for failure, the progress of neither could be achieved.

But this predatory life somehow of itself ceases when the order of free contract is reached.

Mark now, however, that while this merciless discipline of Nature "red in tooth and claw", has been essential to the progress of sentient life, its persistence through all time with all creatures must not be inferred. . . . The myriads of years of warfare which have developed the powers of all lower types of creatures, have bequeathed to the highest type of creature the powers now used by him for countless objects besides those of killing and avoiding being killed. His limbs, teeth and nails are but little employed in fight; and his mind is not ordinarily occupied in devising ways of destroying other creatures, or guarding himself from injury by them.

What was true of individuals was true of cultures.

. . . . We must recognize the truth that the struggles for existence between societies have been instrumental to their evolution. . . . The . . . . development of those aids to a higher life which civilization has brought, would not have been possible without inter-tribal and inter-national conflicts. Social cooperation is initiated by joint defence and offence; and from the cooperation thus initiated, all kinds of cooperation have arisen. Inconceivable as have been the horrors caused by this universal antagonism which, beginning with the chronic hostilities of small hordes tens of thousands

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of years ago, has ended in the occasional vast battles of immense nations, we must nevertheless admit that without it the world would still have been inhabited only by men of feeble types, sheltering in caves and living on wild food.

But now observe that the inter-social struggle for existence which has been indispensable in evolving societies, will not necessarily play in the future a part like that which it has played in the past. Recognizing our indebtedness to war for forming great communities, and developing their structures, we may yet infer that the acquired powers, available for other activities, will lose their original activities. While conceding that without these perpetual bloody strifes, civilized societies could not have arisen, and that an adapted form of human nature, fierce as well as intelligent, was a needful concomitant; we may at the same time hold that such societies having been produced, the brutality of nature in their units which was necessitated by the process, ceasing to be necessary with the cessation of the process, will disappear. While the benefits achieved during the predatory period remain a permanent inheritance, the evils entailed by it will decrease and die out.[1]

Both "induction and deduction" showed that despotism was a necessary concomitant of the meliorative trend to the present beneficent system. "We must not let our feelings blind us to the proofs that inter-social conflicts have furthered the development of social structure."[2]

But for Veblen the life of predation, of self-seeking, cannot create a life of peaceable industry. The principle of predation is not the principle of peace; and the two can be reconciled only by the "imputation of a meliorative trend in the course of events", only by the assumption that nature (that is, the system of free contract or of property), if left to itself, will work out to the highest welfare of society. But if this assumption is not made, then in the modern "quasi-peaceable" régime property as acquisition is the "habit of coercion and seizure reduced to system under the surveillance of usage."[3] So Veblen with superb effrontery set up a predatory barbarian stage to follow the peaceable savage, as Spencer did, to illustrate the character of the "modern régime of competition". "The traits which characterize the predatory and *subsequent* stages of culture, and which indicate the type of

[1] *Ibid.*, paragraph 438.

[2] *Ibid.*, paragraph 435.

[3] "The Beginnings of Ownership", *loc. cit.*, p. 363.

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man best fitted to survive under the régime of status, are (in their primary expression) ferocity, self-seeking, clannishness and disingenuousness — a free resort to force and fraud". They are "the aristocratic and the bourgeois virtues, that is to say the destructive and pecuniary traits." [1] The barbarian life is the life of the business man, that is, the "economic man"; and the "'economic man', whose only interest is the self-regarding one and whose only human trait is prudence," said Veblen, "is useless for the purposes of modern industry." [2]

The character of this "economic man" was related to the original and fundamental nature of the natural right of property, according to Spencer.

> Evidently the thoughts and feelings which accompany the act of taking possession, as when an animal clutches its prey, and which at a higher stage of intelligence go along with the grasping of any article indirectly conducing to gratification, are the thoughts and feelings to which the theory of property does but give a precise shape. Evidently the use in legal documents of such expressions as "to have and to hold", and to be "seized" of a thing, as well as the survival up to comparatively late times of ceremonies in which a portion (rock or soil) of an estate bought, representing the whole, actually passed from hand to hand, point back to this primitive physical basis of ownership. Evidently the developed doctrine of property . . . gives positiveness to the claim. . .

The life of the dog, who is descended from the wolf, illustrated for Spencer the primordial character of property. "We cannot suppose that man in his rudest state had less notion" of "private ownership" or "exclusive possession" than the dog, who "will not only fight for the prey he has caught, or for his kennel, but will keep guard over his master's belongings." [3]

So Veblen made the life of the dog a symbol of the order of property, a description of "pecuniary canons of taste". As a contrast, the cat was a symbol of the order of industry.

> . . . . The cat is less reputable than the dog, because she is less wasteful; she may even serve a useful end. At the same time the cat's temperament does not fit her for the honorific purpose. She lives with man on terms of equality, knows nothing of that relation of status which is the ancient basis

[1] *The Theory of the Leisure Class*, p. 225. Italics mine.

[2] *Ibid.*, pp. 240-241.

[3] *Principles of Sociology*, paragraphs 292, 536.

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of all distinctions of worth, honour, and repute, and she does not lend herself with facility to an invidious comparison between her owner and his neighbors. . . .

The dog has advantages in the way of uselessness as well as in special gifts of temperament. He is often spoken of, in an eminent sense, as the friend of man, and his intelligence and fidelity are praised. The meaning of this is that the dog is man's servant and that he has the gift of an unquestioning subservience and a slave's quickness in guessing his master's mood. Coupled with these traits, which fit him well for the relation of status, and which must for the present purpose be set down as serviceable traits, the dog has some characteristics which are of a more equivocal aesthetic value. He is the filthiest of the domestic animals in his person and the nastiest in his habits. For this he makes up in a servile, fawning attitude towards his master, and a readiness to inflict damage and discomfort on all else. The dog, then, commends himself to our favour by affording play to our propensity for mastery, and as he is also an item of expense, and commonly serves no industrial purpose, he holds a well-assured place in men's regard as a thing of good repute. The dog is at the same time associated in our imagination with the chase—a meritorious employment as an expression of the honourable predatory impulse.[1]

So after all the community of so-called free men in the system of property leads a dog's life by virtue of the coercive control of property.

Apparently man is essentially a predatory animal by reason of the fundamental nature of property. Therefore Spencer bitterly assailed socialism which assumes "an ideal human nature". "Observe", said Spencer, "what is done by these men who are expected to be so regardful of one another's interests."

If, in our days, the name "birds of prey and of passage", which Burke gave to the English in India at the time of Warren Hastings' trial, . . . is not applicable as it was then; yet the policy of unscrupulous aggrandizement continues. As remarked by an Indian officer . . . . all our conquests and annexations are made from base and selfish motives alone. . . . Such being the doings abroad, what are the feelings at home? Honours, titles, emoluments are showered on the aggressors. A traveller who makes light of men's lives is regarded as a hero and feted by the upper classes. . . . "British power", "British pluck", "British interests", are words on every tongue, but of justice there is no speech, no thought. See then the marvellous incongruity. Out of men who do these things and applaud them, is to be formed a society pervaded by the sentiment of brotherhood. It is hoped that by administrative sleight-of-hand may be organized a community in which self-seeking will abdicate and fellow-feeling reign in its place!

[1] *The Theory of the Leisure Class*, pp. 140-141.

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It was not different in the United States.

. . . . The United States has local civil wars carried on by artizans, miners, etc. who will not let others work at lower wages than they themselves demand; they wreck and burn property, waylay and shoot antagonists, attempt to poison wholesale those who dissent. There are, according to Judge Parker, lynchings at the rate of three per day; there is in the west "shooting at sight"; and the daily average of homicides throughout the states has risen in five years from twelve to thirty per day; while in the south occur fatal fights with pistols in courts of justice. Again, we have the corruption of the New York police—universal bribery to purchase immunity or to buy off punishment. Add to this the general admiration for the unscrupulous man of business, applauded as "smart". And now it is hoped that a nation in which self-regard leads to these startling results, may forthwith be changed into a nation in which regard for others is supreme!

Similarly in France:

. . . . Enormous military burdens are borne in the hope of wiping out "dishonour" in blood. . . . Within a short time we have had official corruption displayed, in the selling of decorations; there have been the Panama scandals, implicating various political personages — men of means pushing their projects at the cost of thousands impoverished or ruined; and, more recently still, have come the blackmailing revelations — the persecuting of people, even to the death, to obtain money by threatened disclosures or false charges. Nevertheless, while among the select men chosen by the nation to rule there is much delinquency, and while the specially cultured who conduct the public journals act in these flagitious ways, it is supposed that the nation as a whole will, by reorganization, be immediately changed in character, and a maleficent selfishness transformed into a beneficent unselfishness.

Similarly in Germany:

Students gash one another's faces in sword fights, so gaining their emperor's approval. Duelling . . . is insisted on by military rule; so that an officer who declines is expelled from the army—nay, worse, one who in a court of justice is proved to have been falsely charged is bound to challenge those who charged him. Yet in a country where the spirit of revenge is supreme over religion, law and equity, it is expected not only that men will at once cease to sacrifice others in satisfaction of their "honour"; but will at once be ready to sacrifice their own interests to further the interests of their fellows.[1]

For Veblen the duel is an expression of the predatory nature of the "economic man", for the life of business is the life of the duel. The duel, therefore, is an excellent means by

[1] *Principles of Sociology*, paragraph 843.

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which the system of contract can be described in contrast to the life of industry. "Apart from warlike activity proper", says Veblen, "the duel is an expression of the same superior readiness for combat". It is eminently fitting to those "specially trained to predatory habits of mind" such as military and naval officers and "lower class delinquents".[1] And the "ideal delinquent", for Veblen, is the "ideal pecuniary man", the captain of industry. "The ideal pecuniary man is like the ideal delinquent in his unscrupulous conversion of goods and *persons* to his own ends, and in a callous disregard of the feelings and wishes of others".[2] As Veblen develops the discussion of the duel, his "roundabout method" of dissecting business enterprise becomes less obscure.

This institution of the duel as a mode of finally settling disputes and serious questions of precedence shades off into the obligatory, unprovoked private fight as a social obligation due to one's good repute. As a leisure class usage of this kind we have, particularly, that bizarre survival of bellicose chivalry, the German student duel. In the lower or spurious leisure class of the delinquents there is in all countries a similar, though less formal, social obligation incumbent on the rowdy to assert his manhood in unprovoked combat with his fellows. And spreading through all grades of society, a similar usage prevails among the boys of the community.[3]

After reaching this point he declares that

the case of the boy may seem not to bear seriously on the question of the relative endowment of prowess with which the several classes of society are gifted; but it is at least of some value as going to show that this *fighting impulse* belongs to a more archaic temperament than that possessed by the average adult man of the *industrious* classes.[4]

"Socialism might possibly work", according to Spencer, in those tribes which Veblen described as without ownership and thus without a leisure class, but could not possibly work in the modern business order characterized by the duel.

It would not be altogether irrational to expect that some of the peaceful Indian hill-tribes, who display the virtue of forgiveness without professing it . . . might live harmoniously under socialistic arrangements; but can we

[1] *The Theory of the Leisure Class*, p. 249.

[2] *Ibid.*, p. 237.

[3] *Ibid.*, pp. 249-250.

[4] *Ibid.*, p. 252. Italics mine.

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reasonably expect this of men who, pretending to believe that they should love their neighbors as themselves, here rob their fellows, and there shoot them, while hoping to slay wholesale men of other blood?[1]

In other words the "greed philosophy" of the natural right of property of Spencer has made man pecuniary-minded, anti-social, militant, predatory not peaceful, industrial. Modern man is thus by Spencer's own logic the outcome of a life of status of ceremonial institutions, not of industrial institutions. So all the scathing testimony Spencer brings to bear in describing the ceremonial institutions of status applies to the ideal economic man of the system of business enterprise.

We shall now turn to these institutions to show the meaning of Veblen's apparently "satirical" remarks on upper class life. According to Spencer, ceremonial institutions are the foundation of the regulative coercive system.

If, disregarding conduct that is entirely private, we consider only that species of conduct which involves direct relations with other persons; and if under the name government we include all control of such conduct, however arising; then we must say that the earliest kind of government, and the government which is ever spontaneously recommencing is the government of ceremonial observance. . . . This kind of government besides preceding other kinds, and besides having in all places and times approached nearer to universality of influence, has ever had, and continues to have, the largest share in regulating men's lives.[2]

Spencer first discussed "trophies". They are the basis of ceremonial institutions, and serve to designate the status of individuals in predatory society.

Trophies . . . give to their owner some influence over those around him. A traveller who has brought from Africa a pair of elephant's tusks, or the formidable horn of a rhinoceros, impresses those who have come in contact with him as a man of courage and resource, and, therefore, as one not to be trifled with. A vague kind of governing power accrues to him.

Naturally, by primitive men, whose lives are predatory and whose respective values largely depend on their powers as hunters, animal-trophies are still more prized; and tend, in greater degrees, to bring honour and influence. Hence the fact that rank in Vate is indicated by the number of bones of all kinds suspended in the house. Of the Shoshone warrior we are told that, "killing a grizzly bear also entitles him to this honour, for it is considered a great feat to slay one of these formidable animals, and only he

[1] *Principles of Sociology*, paragraph 844.

[2] *Ibid.*, paragraph 343.

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who has performed it is allowed to wear their highest insignia of glory, the feet or claws of the victim." "In the house of a powerful chief [of the Mishmis], several hundreds of skulls (of beasts) are hung up along the walls of the passage, and his wealth is always calculated according to the number of these trophies, which also form a kind of currency among the tribes." With the Santals, "it is customary to hand these trophies (skulls, of beasts, etc.) down from father to son."[1]

But "property is . . . of the nature of trophy" according to Veblen and in the modern business form of predatory society it is a "trophy of success in the game of ownership".[2] Veblen denied the "conventional assumption that the end of acquisition and accumulation" is "the consumption of the goods accumulated."[3]

. . . . It is only when taken in a sense far removed from its naïve meaning that consumption of goods can be said to afford the incentive from which accumulation invariably proceeds. The motive that lies at the root of ownership is emulation, and the same motive of emulation continues active in the further development of the institution to which it has given rise and in the development of all those features of the social structure which this institution of ownership touches. The possession of wealth confers honour, it is an invidious distinction. Nothing equally cogent can be said for the consumption of goods, nor for any other conceivable incentive to acquisition, and especially not for any incentive to the accumulation of wealth.[4]

"Property set out with being trophies of the successful raid", said Veblen.[5] The captain of industry is a "modern survival of prowess" and his high prestige is maintained by his accumulation of trophies which signify "coercion and seizure". According to Spencer:

. . . . Among the uncivilized and semi-civilized . . . a brave who returns from battle does not get honour if his boasts are unsupported by evidence; but if he proves that he has killed his man by bringing back some part of him—especially a part which the corpse could not yield in duplicate—he raises his character in the tribe and increases his power. Preservation of such trophies with a view to display, and consequent strengthening of personal influence, therefore becomes an established custom.[6]

[1] *Ibid.*, paragraph 349.

[2] *The Theory of the Leisure Class*, p. 28.

[3] *Ibid.*, p. 25.

[4] *Ibid.*, pp. 25-26.

[5] *Ibid.*, p. 27.

[6] *Principles of Sociology*, paragraph 349.

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This marks the leisure class, the domineering class of property.

If, in primitive states, men are honoured according to their prowess—if their prowess is estimated here by the number of heads they can show, there the number of jaw-bones, and elsewhere by the number of scalps,—if such trophies are treasured up for generations, and the pride of families is proportioned to the number of them, taken by ancestors—if of the Gauls in the time of Pesidonius, we read that "the heads of their enemies that were the chiefest persons of quality, they carefully deposit in chests, embalm them with the oil of cedars, showing them to strangers, glory and boast" that they or their forefathers had refused great sums of money for them; then, obviously a kind of class distinction is initiated by trophies. On reading that in some places a man's rank varies with the quantity of bones in or upon his dwelling, we cannot deny that the display of these proofs of personal superiority originates a regulative influence in social intercourse.

Since, for Spencer, religion reflects the characteristic bias of a culture, it follows that the predatory life of trophy has a religion of a similar character:

. . . . Among the Fijians who are solicitous in every way to propitiate their blood-thirsty deities, "when flags are taken they are always hung up as trophies in the . . . temple. That hundreds of gilt spurs of French knights vanquished by the Flemish in the battle of Courtrai, were deposited in the church of that place, and that in France flags taken from enemies were suspended from the vaults of cathedrals (a practice not unknown in protestant England) are facts which might be joined with these, did not joining them imply the impossible supposition that Christians think to please "the God of Love" by acts like those used to please the diabolical god of cannibals.[1]

Likewise to Veblen, religion is an "epigenetic feature and follows rather than leads in the unfolding of the cultural sequence."[2] By way of discussions of "devout observances" and a "belief in luck," Veblen used the "devout attitude" which "is an expression of the sense of personal subservience and mastery",[3] to bring out the arbitrary, predacious nature of property without directly appearing to cast aspersions on what he believed to be the fundamental principle of the established pecuniary order.

[1] *Ibid.*, paragraph 356.

[2] *The Instinct of Workmanship and the State of the Industrial Arts* (New York, 1914), p. 170.

[3] *The Theory of the Leisure Class*, p. 342.

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Spencer concluded that the relation between trophy-taking and militancy was "so obvious as to seem scarcely worth mention". Trophy-taking

> begins during a primitive life that is wholly occupied in fighting men and animals; it develops with the growth of conquering societies in which perpetual wars generate the militant type of structure; it diminishes as growing industrialism more and more substitutes productive activities for destructive activities, and complete industrialism necessitates entire cessation of it.[1]

Consequently for Veblen the decline of the life of trophy means the decline of property; the survival of property means the survival of trophy. The life of trophy makes the peaceable industrial occupations degrading. Productive labor is "irksome" because of the dominance of pecuniary exploit. As Spencer said, "Where warfare is habitual, and the required qualities most needful and therefore most honoured, those whose lives do not display them are treated with contempt, and their occupations regarded as dishonourable."[2]

To illustrate the coercive nature of property, as an ownership of persons, Veblen took the rôle of womankind. Spencer declared that "perhaps in no other way is the moral progress of mankind more clearly shown, than by contrasting the position of women among savages with their position among the most advanced of the civilized".[3] In apparent agreement, Veblen remarked:

> It has been well and repeatedly said by popular writers and speakers who reflect the common sense of intelligent people on questions of social structure and function that the position of women in any community is the most striking index of the level of culture attained by the community, and it might be added by any given class in the community. This remark is perhaps truer as regards the stage of economic development than as regards development in any other respect.[4]

In the modern pecuniary order the rôle of woman was still that of property to the man, and "our common sense tells us that her

[1] *Principles of Sociology*, paragraph 356.

[2] *Ibid.*, paragraph 560.

[3] *Ibid.*, paragraph 324.

[4] *The Theory of the Leisure Class*, p. 353.

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direct participation in the affairs of the community, civil or industrial, is a menace to that social order which expresses our habits of thought as they have been formed under the guidance of the traditions of the pecuniary culture."[1] So Veblen found in the "barbarian status of women" the "beginnings of ownership"; that is, the nature of ownership is that of ruthless command over the lives of the underlying population. "It is difficult", said Veblen, "to see how an institution of ownership could have arisen in the early days of predatory life through the seizure of goods, but the case is different with the seizure of persons".[2] Spencer furnished illustrations.

> In all times and places, among savage and civilized, victory is followed by pillage. Whatever portable things of worth the conquerors find, they take. The enemies of the Fuegians plunder them of their dogs and arms; pastoral tribes in Africa have their cattle driven away by victorious marauders. . . . The taking of women is but a part of this process of spoiling the vanquished. Women are prized as wives, as concubines, as drudges; and, the men having been killed, the women are carried off along with other movables. . . . P. Martyr Anglerius says that among the cannibal Caribs in his day, "to eat women was considered unlawful. . . . Those who were captured young were kept for breeding, as we keep fowl, etc." . . . in the *Iliad*, . . . we read that the Greeks plundered "the sacred city of Eëtion", and that part of the spoils "they divided among themselves" were the women. And there need no examples to recall the fact that in later and more civilized times, successes in battle have been followed by transactions allied in character, if not the same in form.
>
> Observe, next, that the spoils of conquest, some of them prized for themselves, are some of them prized as trophies. Proofs of prowess are above all things treasured by the savage. He brings back his enemy's scalp, like the North American Indian. He dries and preserves his enemy's head like the New Zealander. He fringes his robe with locks of hair cut from his slain foe. Among other signs of success in battle is the return with a woman of the vanquished tribe. Beyond her intrinsic value she has an extrinsic value . . . unlike a native wife she serves also as a trophy [in addition to being a slave]. As, then, among savages, warriors are the honoured members of the tribe, — as, among warriors, the most honoured are those whose bravery is best shown by achievements; the possession of a wife taken in war becomes a badge of social distinction. . . . Members of the tribe thus married to foreign women are held to be more honourably married than those married to native women.[3]

[1] *Ibid.*, p. 355.

[2] "The Beginnings of Ownership", *loc. cit.*, p. 363.

[3] *Principles of Sociology*, paragraph 287.

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The self-seeking impulse expressed through ownership "must lead" primitive men to monopolize women. There must arise "private ownership of women, ignored only by the stronger, who establish other private ownerships." Furthermore Spencer pointed out Sir John Lubcock's well-known idea that

> absence of individual marital possession went along with absence of individual possession generally. While the notion of private ownership of other things did not exist, there did not exist the notion of private ownership of women. . . . He thinks that private ownership of women was established only by stealing them from other tribes: women so obtained being recognized as belonging to their captors.[1]

Spencer admitted that "the development of the conception of property in general, had much to do with development of the marital relation." Veblen declared, "The earliest form of ownership is an ownership of the women by the able-bodied men of the community. The facts may be expressed in more general terms, and truer to the barbarian theory of life, by saying that it is an ownership of the woman by the man".[2] With a sketch singularly reminiscent of Spencer, Veblen traced the "origins" of ownership as subjection and its development into its less obvious modern form.

> . . . . Captives are items that do not fit into the scheme of communal consumption, and their appropriation by their individual captor works no manifest detriment to the group. At the same time these captives continue to be obviously distinct from their captor in point of individuality and are not so readily brought in under the quasi-personal fringe. The captives taken under rude conditions are chiefly women. There are good reasons for this. Except where there is a slave class of men, the women are more useful, as well as more easily controlled, in the primitive group. Their labor is worth more to the group than their maintenance, and as they do not carry weapons, they are less formidable than men captives would be. They serve the purpose of trophies very effectually, and it is therefore worth while for their captor to trace and keep in evidence his relation to them as their captor. To this end he maintains an attitude of dominance and coercion toward women captured by him; and, as being the insignia of his prowess he does not suffer them to stand at the beck and call of rival warriors. They are fit subjects for command and constraint; it ministers to both his honor and his vanity to domineer over them, and their utility in this respect is very great.

[1] *Ibid.*, paragraph 292.

[2] *The Theory of the Leisure Class*, pp. 22-23.

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But his domineering over them is the evidence of his prowess, and it is incompatible with their utility as trophies that other men should take the liberties with his women which serve as evidence of the coercive relation of captor.

When the practice hardens into custom, the captor comes to exercise a customary right to exclusive use and abuse over the women he has seized; and this customary right of use and abuse over an object which is *obviously not an organic part of his person constitutes the relation of ownership as naïvely apprehended.* After this usage of capture has found its way into the habits of the community, the women so held in constraint and in evidence will commonly fall into a conventionally recognized marriage relation with their captor. The result is a new form of marriage, in which the man is master. This ownership-marriage seems to be the original both of private property and of the patriarchal household. Both of these great institutions are, accordingly, of an emulative origin.

The varying details of the development whereby ownership extends to other persons than captured women cannot be taken up here; neither can the further growth of the marriage institution that came into vogue at the same time with ownership. Probably a point in the economic evolution not far subsequent to the definitive installation of the institution of ownership-marriage comes, as its consequence, the ownership of consumable goods. The women held in servile marriage not only render personal service to their master, but they are also employed in the production of articles for use. *All the non-combatants or ignoble members of the community* are habitually so employed. And where the habit of looking upon and claiming the persons identified with any invidious interest, or subservient to me, as "mine" has become an accepted and integral part of men's habits of thought, it becomes a relatively easy matter to extend this newly achieved concept of ownership to the products of the labor performed by the persons so held in ownership. And the same propensity for emulation which bears so great a part in shaping the original institution of ownership extends its action to the new category of things owned. Not only are the products of the women's labor claimed and valued for their serviceability in furthering the comfort and fullness of life of the master, but they are valuable also as a conspicuous evidence of his possessing many and efficient servants, and they are therefore useful as an evidence of his superior force. The appropriation and accumulation of consumable goods could scarcely have come into vogue as a direct outgrowth of the primitive horde-communism, but it comes in as an easy and unobtrusive consequence of the ownership of persons.[1]

In this manner "a consistent system of property in goods is gradually installed", according to Veblen. "Although in the latest stages of the development, the serviceability of goods for consumption has come to be the most obtrusive element of their value, still, wealth has by no means yet lost its utility

[1] "The Beginnings of Ownership", *loc. cit.*, pp. 363-365; see also *The Theory of the Leisure Class*, pp. 23-28. Italics mine.

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as an *honorific* evidence of the owner's prepotence ".[1] And an " honorific act is in the last analysis little if anything else than a recognized successful act of aggression ".[2] Thus " the institution of the patriarchal household", the life of the pecuniary master, is " found at its best, or in its most effectual development, in the communities in which status and ownership prevail with least mitigation ". Stated another way: In these patriarchal communities, which are the pecuniary communities of today, " the dominant feature in the institutional structure . . . is that of status, and the groundwork of their economic life is a rigorous system of ownership." [3]

Like Spencer, Veblen would have easily said that " the chief significance of trophy-taking is that it furnishes us with the key to numerous ceremonies, prevailing all over the world ".[4] According to Veblen:

> The lasting evidence of productive labour is its material product—commonly some article of consumption. In the case of exploit it is similarly possible and usual to procure some tangible result that may serve for exhibition in the way of trophy or booty. At a later phase of the development it is customary to assume some badge or insignia of honour that will serve as a conventionally accepted mark of exploit, and which at the same time indicates the quantity or degree of exploit of which it is the symbol. As the population increases in density, and as human relations grew more complex and numerous, all the details of life undergo a process of elaboration and selection, and in this process of elaboration the use of trophies develops into a system of rank, titles, degrees and insignia, typical examples of which are heraldic devices, medals, and honorary decorations.

Then Veblen stated that " as seen from the economic point of view, leisure, considered as an employment, is closely allied in kind with the life of exploit; and the achievements which characterize a life of leisure and which remain as its decorous criteria, have much in common with the trophies of exploit ".[5] Business as an employment, it must be remembered, is to

[1] *The Theory of the Leisure Class*, p. 24.

[2] *Ibid.*, p. 17.

[3] " The Barbarian Status of Women ", *American Journal of Sociology*, Jan., 1890, p. 511.

[4] *Principles of Sociology*, paragraph 356.

[5] *The Theory of the Leisure Class*, p. 44.

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Veblen a leisure class employment. So the criteria of leisure class life as exploit are the criteria of the life of business, and ceremonial distinctions are none the less real in the money economy even though *de jure* none may exist. Spencer first took up "mutilations" as the "decorous criteria" of exploit.

> . . . . Let us remember the honour which accrues from accumulated trophies; so that, among the Shoshones for instance "he who takes the most scalps gains the most glory". Let us join with this Bancroft's statement respecting the treatment of prisoners by the Chickimecs, that "often they were scalped while yet alive, and the bloody trophy placed upon the head of their tormentors". And then let us ask what happens if the scalped enemy survives. The captor preserves the scalp as an addition to his other trophies; the vanquished enemy becomes his slave; and he is shown to be a slave by the loss of his scalp. Here, then, are the beginnings of a custom that may become established when social conditions make it advantageous to keep conquered foes as servants instead of eating them. The conservative savage changes as little as possible. While the new practice of enslaving the captured arises, the old practice of cutting from their bodies such parts as serve for trophies continues; and the marks left become marks of subjugation. Gradually as the receipt of such marks comes to imply bondage, not only will those taken in war be marked, but also those born to them; until at length the bearing of the mark shows subordination in general.
>
> That submission to mutilation may eventually grow into the sealing of an agreement to be bondsmen, is shown us by Hebrew history. "Then Nahash the Ammonite came up, and encamped against Jabeshgilead: and all the men of Jabesh said unto Nahash: Make a covenant with us, and we will serve thee. And Nahash the Ammonite answered them, On this condition will I make a covenant with you, that I may thrust out all your right eyes." They agreed to become subjects, and the mutilation . . . was to mark their subjection. And while mutilations thus serve *like the brands a farmer puts on his sheep to show* first *private ownership*, and afterwards political ownership, they also serve as perpetual reminders of the ruler's power; so keeping alive the dread that brings obedience. This fact we see in the statement that when the second Basil deprived fifteen thousand Bulgarian captives of sight, "the nation was awed by this terrible example".[1]

But for Veblen the modern pecuniary régime is characterized by the chieftainship of the captain of industry, and thereby is a militant society with a system of mutilation as expressed most clearly by the treatment of the underlying industrial population and symbolized so effectively in the rôle of women. The underlying population is caustically described by Veblen as undergoing mutilation of their essentially human dignity and

[1] *Principles of Sociology*, paragraph 357. Italics are mine.

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human usefulness including in particular industrial activity. The coercive rule of property is branding the community with the marks of servility. According to Spencer:

> If, as we have seen, trophy-taking as a sequence of conquest enters as a factor into those governmental restraints which conquest initiates, it is to be inferred that the mutilations originated by trophy-taking will do the like. The evidence justifies this inference. Beginning as marks of personal slavery and becoming marks of political and religious subordination, they play a part like that of oaths of fealty and pious self-dedications. Moreover, being acknowledgment of submission to a ruler, visible or invisible, they enforce authority by making *conspicuous* the extent of his sway.[1]

When the discussion is taken in conjunction with Veblen's use of womankind, the grimness behind the following apparently satirical remark of Veblen should be obvious: "The corset is in economic theory, substantially a mutilation, undergone for the purpose of lowering the subject's vitality and rendering her permanently and obviously unfit for work." [2] Property is a corset and its constraining force lessens the industrial and human usefulness of those constrained.

Since mutilations originate according to Spencer "with conquest", it is to be expected that societies "which are characterized throughout either by the absence of chieftainship or by chieftainship of an unsettled kind" are free from the institution denoted by mutilations." "Derived from trophy-taking, and developing with the development of the militant type, mutilations must, by implication, decrease as fast as the societies . . . become less militant, and must disappear as the industrial type of structure evolves." [3]

Presents and propitiatory ceremonies, thought Spencer, were closely akin to mutilations.

> The alliance between mutilations and presents—between offering a part of the body and offering something else—is well shown by a statement respecting the Ancient Peruvians; which also shows how present-making becomes a propitiatory act, apart from the value of the thing presented. Describing people who carry burdens over the high passes, Garcilasso says they unload themselves on the top; and then severally say to the god Pachacamac—

[1] *Ibid.*, paragraph 367.

[2] *The Theory of the Leisure Class*, p. 170.

[3] *Principles of Sociology*, paragraph 367.

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"I give thanks that this has been carried", and in making an offering they pulled a hair out of their eyebrows, or took the herb called *cuca* from their mouths, as a gift of the most precious things they had. . . .

Though, coming in this unfamiliar form, these offerings of parts of themselves, or of things they prized, or of worthless things, seems strange, they will seem less strange on remembering that at the foot of a wayside crucifix in France may any day be seen a heap of small crosses, severally made of two bits of lath nailed together. . . . they similarly force on our attention the truth that the act of presentation passes into a ceremony expressing the wish to conciliate.

Dogs best exemplified "the natural genesis of presents."

A retriever, accustomed to please his master by fetching killed birds, etc., will fall into the habit at other times of fetching things to show his desire to please. On first seeing in the morning some one he is friendly with, he will add to his demonstrations of joy, the seeking and bringing in his mouth, a dead leaf, a twig, or any small available object lying near. . . . [1]

In the modern business culture this was exemplified by the attitude of present-giving by the underlying population in propitiating their pecuniary masters. Present-giving does not become an "established usage" in the "communistic societies," the "simple societies where chieftainship does not exist or is unstable"; that is, where for Veblen ownership does not exist.

. . . . Australians, Tasmanians, Fuegians are instances; and on reading through accounts of wild American races that are little organized like the Esquimaux, Chinooks, Snakes, Comanches, Chippewas, or are organized in a democratic manner like the Iroquois, and the Creeks, we find, along with the absence of strong personal rule, scarcely any mention of gift-making as a political observance.

In "apt contrast" were the "advanced barbarian tribes "where the presence of stable headship . . . gives both the opportunity and motive".[2] Their life of exploit is used by Veblen to characterize the present pecuniary régime with its stable headship of the property classes, best exemplified by the captain of industry. According to Spencer:

. . . . Torquemada writes that in Mexico, "when anyone goes to salute the lord or king, he takes with him flowers and gifts". . . . Among the Yucatanese, "when there was hunting or fishing or salt-carrying, they always gave a part to the lord". . . . Speaking of things bartered to the

[1] *Ibid.*, paragraphs 368, 377.

[2] *Ibid.*, paragraph 377.

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Tahitian populace for food, native cloth, etc., Forster says, "However, we found that after some time all this acquired wealth flowed as presents or voluntary acknowledgments, into the treasure of the various chiefs." In Fiji again, "whoever asks a favor of a chief, or seeks civil intercourse with him, is expected to bring a present".

These last cases show us how making presents passes from a voluntary propitiation into a compulsory propitiation; for on reading that "the Tahitian chiefs plundered the plantations of their subjects at will", and that in Fiji, "chiefs take the property and persons of others by force"; it becomes manifest that present-making develops into the giving of a part to prevent loss of the whole. It is the policy at once to satisfy cupidity and to express submission. "The Malagasy, slaves as well as others, occasionally make presents of provisions to their chiefs, as an acknowledgement of homage". And it is inferable that in proportion to the power of chiefs, will be the anxiety to please them; both by forestalling their greedy desires and by displaying loyalty.[1]

As time goes on, "there eventually grow up universal and involuntary contributions—established tribute; and . . . with the rise of a currency this passes into taxation."

In proportion as values became more definite and payments in coin easier, commutation resulted. Instance, in the Carolingian period, "the so-called *inferenda*—a due originally paid in cattle, now in money", instance the *oublies*, consisting of bread "presented on certain days by vassals to their lords" which "were often replaced by a small annual due in money". Instance, in our own history, the giving of money instead of goods by towns to a king and his suite making a progress through them. The evidence may fitly be closed with the following passage from Stubbs:

"The ordinary revenue of the English king had been derived solely from the royal estates and the produce of what had been folkland, with such commuted payments of feorfultum, or provision in kind, as represented either the reserved rents from ancient possessions of the crown, or the quasi-voluntary tribute paid by the nation to its chosen head."

In which passage are simultaneously implied the transition from voluntary gifts to involuntary tribute, and the commutation of tribute into taxes.[2]

Present-giving is the origin of the predatory money economy, the system, according to Veblen, of forced tribute from the underlying population. The propitiations to the gods, devout observances, are of similar significance, having a similar origin as the outcome of a predatory mode of life.[3] The present to the ruler "eventually develops into political

[1] *Ibid.*, paragraph 369.

[2] *Ibid.*, paragraph 371.

[3] *Ibid.*, paragraph 373.

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revenue", and the present to the gods "eventually develops into ecclesiastical revenue".[1] The return to the holders of property rights is for Veblen a "present". "Presents" to the business man have "developed" into profits. According to Spencer, "from the presents [to the god] . . . arises a maintenance for the sacerdotal class. . . ." So in modern society from presents to property there arises not only the parasitic leisure class proper, according to Veblen, but a "vicarious leisure class", including the practitioners of the higher learning, the modern priesthood. The "higher learning" is "an expression of the pecuniary culture".

Spencer, having discussed "the presents as made by inferiors to propitiate superiors", turned to "presents made by superiors to inferiors."

> As the power of the political head develops, until at length he assumes universal ownership, there results a state in which he finds it needful to give back part of that which he has monopolized; and having been originally subordinated by giving, his dependents are now, to a certain extent, further subordinated by receiving. People of whom it can be said, as of the Kukis, that "all the property they possess is by simple suffrance of the rajah", or people who like the Dahomans, are owned in body and estate by their king, are obviously so conditioned that property having flowed in excess to the political centre, must flow down again from lack of other use. . . . Of the ancient Germans, Tacitus says — "The chief must show his liberality, and the follower expects it. . . . The prince's table, however inelegant, must always be plentiful; it is the only pay of his followers". That is, a monopolizing supremacy had, as its sequence, gratuities to dependents. . . . It needs scarcely be added that the scattering of *largesse* to the people by the kings, dukes, and nobles, was similarly a concomitant of that servile position in which such return as they got for their labour in addition to daily sustenance was in the shape of presents rather than in the shape of wages. Moreover we still have in vails and Christmas-boxes to servants, etc., the remnants of a system under which fixed renumeration was eked out by gratuities—a system itself sequent upon the earlier system under which gratuities formed the only remuneration.

As in the money economy with its wage slavery "it becomes tolerably clear that while from presents offered by subject persons, there eventually develop tribute, taxes, and fees, from donations made by ruling persons there eventually develop salaries."[2]

[1] *Ibid.*, paragraph 374.

[2] *Ibid.*, paragraph 375.

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Barter, an embryonic form of the money economy, is essentially "mutual propitiation by gifts" with all that propitiation implies.

. . . Barter is not, as we are apt to suppose, universally understood. Cook, speaking of his failure to make any exchange of articles with the Australians, says:

"They had, indeed, no idea of traffic." And other statements suggest that when exchange begins, the thought of equivalence between the things given and received scarcely arises. Of the Ostyaks, who supplied them "with plenty of fish and wild fowl", Bell remarks, "Give them only a little tobacco and a dram of brandy, and they ask no more, not knowing the use of money". Remembering that at first no means of measuring values exists, and that the conception of equality of value has to grow by use, it seems not impossible that mutual propitiation by gifts was the act from which barter arose; the expectation that the present received would be of like worth with that given being gradually established, and the exchanged articles simultaneously losing the character of present. One may, indeed, see the connection between the two in the familiar case of gifts made by European travellers to native chiefs; as where Mungo Park writes—"Presented Mansa Kussan (the chief man of Julifunda) with some amber, coral and scarlet, with which he appeared to be perfectly satisfied, and sent a bullock in return". Such transactions show us both the original meaning of the initial present as propitiatory, and the idea that the responsive present should have an approximately like value: implying informal barter. Nay, more. Certain usages of the North American Indians suggest that even a circulating medium may originate from propitiatory presents. Catlin writes—

"Wampum has been invariably manufactured and highly valued as a circulating medium . . . so many strings, or so many hand's breadth, being the fixed value of a horse, a gun, a robe, etc. In treaties, the wampum belt has been passed as the pledge of friendship, and from time immemorial sent to hostile tribes, as the messenger of peace; or paid by so many fathoms' lengths, as tribute to conquering enemies."

The money economy as a "propitiatory system" rests on fear.

How gift-making, first developed into a ceremony, by fear of the chief ruler, and made to take a wider range by fear of the powerful, is eventually rendered general by fear of equals who may prove enemies, if they are passed over when others are propitiated, we may gather from European history. Thus in Rome "all the world gave or received New Year's gifts". Clients gave them to their patrons; all the Romans gave them to Augustus. "He was seated in the entrance-hall of his house; they defiled before him, and every citizen holding his offering in his hand, laid, when passing, at the feet of that terrestrial god . . . [The] sovereign gave back a sum equal or superior to their presents.[1]

[1] *Ibid.*, paragraph 376.

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Present-making illustrated the militant, emulative, self-seeking life of the money economy with its chieftains of industry, and thereby was clearly revealed the grim meaning behind Veblen's assertion that "presents and feasts had probably another origin than that of naïve ostentation, but they acquired their utility for this purpose very early, and they have retained that character to the present".[1]

Turning to the subject of "Visits", Spencer by similar reasoning reaches the conclusion that "in simple tribes without settled headships" the visit cannot become a "political ceremony"; as one of "the expressions of obedience, it is associated with the development of the militant organization", and it becomes "a conspicuous element of ceremonial rule in nations which are under those despotic forms of government which militancy produces".[2]

Spencer then discussed "obeisances" as reflections of a militant society.

> Whatever its kind, . . . the obeisance has the same root with the trophy and the mutilation. At the mercy of his conqueror, who, cutting off part of his body as a memorial of victory kills him, or else, taking some less important part, marks him as a subject person, the conquered enemy lies prone before him; now on his back, or now with neck under his conqueror's foot, smeared with dirt; weaponless, and with torn clothes or stripped of the trophy-trimmed robe he prized. Thus the prostration, the coating of dust, and the loss of covering, incidental on defeat, become, like the mutilation, recognized proofs of it. Whence results, first of all, the enforced signs of submission of slaves to masters and subjects to rulers; then the voluntary assumptions of humble attitude before superiors. . . .
>
> That all obeisances originate in militancy, is a conclusion harmonizing with the fact that they develop along with the development of the militant type of society. Attitudes and motions signifying subjection do not characterize headless tribes and tribes having unsettled chieftainships. . . . It is remarked of the Kamtschadales, who when found were without rulers, that their manners are quite rude; they never use any civil expression or salutation; never take off their caps, nor bow to one another. On the other hand, in societies . . . which have acquired the militant type of structure, political and social life are characterized by groveling prostrations . . . we find them in Uganda, where war is chronic, where the revenue is derived from plunder, and where it is said of the king out shooting that "as his highness could not get any game to shoot at, he shot down many people"; we find

[1] *The Theory of the Leisure Class*, p. 75.

[2] *Principles of Sociology*, paragraph 377.

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them in sanguinary Dahomey, where adjacent societies are attacked to get more heads for decorating the king's palace.

In short, Spencer concluded:

. . . that militant activities, intrinsically coercive, necessitate command and obedience, and that therefore where they predominate, signs of submission are insisted upon. Conversely industrial activities . . . are intrinsically non-coercive; and therefore where they predominate, results decreasing use of the signs of submission.[1]

Hence for Veblen the decline of the coercive system of freedom of contract meant the decrease of the attitude of submission on the part of the underlying population to its pecuniary masters. Spencer reached the same conclusion in "Forms of Address":

. . . Should anyone say that along with the enforced obedience which military organization implies, and which characterizes the whole of a society framed for military action, there naturally go forms of address not expressing submission, and if, conversely, he should say that along with the active exchanging of goods for money, and services for wages freely carried on, which characterizes the life of an industrial society, there naturally go exaggerated eulogies of others and servile depreciations of self; his proposition would be manifestly absurd. And the absurdity of this hypothetical proposition serves to bring into view the truth of the actual proposition opposed to it.[2]

Veblen, considering the system of free contract as a coercive régime, can apply the discussion of "forms of address" to that régime, in direct opposition to Spencer's view.

Spencer's treatment of "Titles" is peculiarly illuminating when taken in conjunction with Veblen's "analogy" between the predatory barbarian and the "captain of industry". "Captain", it is to be remembered", is a military title, and the very phrase, "captain of industry" implies a militant organization. What Spencer wrote was:

Various savage races give a man a name of renown in addition to, or in place of, the name by which he was previously known, on the occasion of a great achievement in battle. . . . Descriptive names of honours thus arising during early militancy, become in some cases official names. . . . In Fiji,

[1] *Ibid.*, paragraph 391.

[2] *Ibid.*, paragraph 398.

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"warriors of rank receive proud titles, such as 'the divider of a district', 'the waster of a coast', 'the depopulator of an island'".[1]

Spencer reached the conclusion that "serving first to commemorate the triumphs of savages over their foes, titles have expanded, multiplied and differentiated as conquests have formed large societies, and that, belonging to the social type generated by habitual war, they tend to lose their use and their values, in proportion as the type is replaced by one fitted for carrying on the pursuits of peace."[2] For Veblen the rôle of the captain of industry, the logical ideal of the militant system of property, becomes obsolete in an industrial society.

Among the signs of the prowess of leaders in a predatory society, badges and devices on flags were considered significant by Spencer.

> That the devices on flags were in early stages commonly of this kind . . . seems implied by the fact that even still, the predatory mammals and birds of prey which, in early times, mostly furnished the animal names of great warriors, still linger on flags, or on the standards carrying them. . . .
>
> . . . When we read that in China, "the Mandarins of letters have birds on their Habit embroidered in Gold to distinguish their rank; the Mandarins of the Army have Animals, as the Dragon, the Lion, the Tiger.", and that "by these Marks of Honour the People know the Rank these officers have in the nine Degrees of the State", we can scarcely draw any other conclusion than that this use of animal-symbols, however much it has deviated from its original use, arose from the primitive system of tribal naming and consequent tribal badges. And finding that during early times in Europe, coats of arms were similarly emblazoned upon the dresses, as well as otherwise displayed, we must infer that whether painted on coach panels, chased on plate, or cut on seals, these family-marks among ourselves have a kindred derivation.[3]

So in the opening chapter of *The Theory of the Leisure Class,* Veblen made good use of these symbols of the less sophisticated barbarians as compared with the captains of industry and satellite "captains of erudition".

> With the primitive barbarian . . . "honourable" seems to connote nothing else than assertion of superior force. "Honourable" is "formidable"; "worthy" is "prepotent". An honorific act is in the last analysis little if

[1] *Ibid.*, paragraph 401.

[2] *Ibid.*, paragraph 407.

[3] *Ibid.*, paragraph 411.

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anything else than a recognized successful act of aggression, and where aggression means conflict with men and beasts, the activity which comes to be especially and primarily honourable is the assertion of the strong hand. The naïve, archaic habit of construing all manifestations of force in terms of personality or "will power" greatly fortifies this conventional exaltation of the strong hand. Honorific epithets in vogue among barbarian tribes *as well as among peoples of a more advanced culture*, commonly bear the stamp of this unsophisticated sense of honour. Epithets and titles used in addressing chieftains, and in the propitiation of kings and gods, very commonly impute a propensity for overbearing violence and an irresistible devastating force to the person who is to be propitiated. This holds true to an extent also *in the more civilized communities of the present day*. The predilection shown in heraldic devices for the more rapacious beasts and birds of prey goes to enforce the same view.

Under this common-sense barbarian appreciation of worth or honour, the taking of life — the killing of formidable competitors, whether brute or human—is honourable in the highest degree. And this high office of slaughter, as an expression of the slayer's prepotence, casts a glamour of worth over every act of slaughter and over all the tools and accessories of the act. Arms are honourable, and the use of them, even in seeking the life of the meanest creatures of the fields, becomes an honorific employment. At the same time, employment in industry becomes correspondingly odious, and, in the common-sense apprehension, the handling of the tools and implements of industry falls beneath the dignity of able-bodied men. Labor becomes irksome.[1]

Spencer then turned to dress.

Civilized usages obscure the truth that men were not originally prompted to clothe themselves by either the desire for warmth or the thought of decency. When Speeke tells us that the Africans attending him, donning with pride their goat-skin mantles, when it was fine, took them off when it rained, and went about naked and shivering; or when we read in Heuglin that "among the Schiluk the men go quite naked, even their sultan and his wezir appear in a kind of parti-colored shirt, only during official interviews and on festive occasions", we are shown that the dress, like the badge, is at first worn from the wish for admiration.

Thus dress is a form of trophy and connotes all that the trophy connotes. The "honourableness of the badge and of the dress, simultaneously arise from the honourableness of the trophy". "American Indians wear as marks of honour the skins of formidable animals they have killed." As in the money economy, so in Tahiti "the higher classes signify their rank by wearing a large amount of clothing at great incon-

[1] *The Theory of the Leisure Class*, pp. 17-18. Italics mine.

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venience to themselves." Spencer quoted Laird's description of a king who on great occasions puffed himself out "to a ridiculous size with cotton wadding". In Siam the prince and all his followers were "clothed in red".[1] The spread of dress denoted the pervasiveness of the desire of wealth, that is, the life of trophy.

We cannot say that the wish to propitiate, which caused the spread of present-giving, of obeisance, of complimentary addresses and of titles, has also caused the spread of badges, costumes, and decoration. In this case it is rather that the lower grades have sought to raise themselves into the grades above, by assuming their distinctive marks, and that, where feared, they have been propitiated by allowing them to do this.

Sumptuary laws in particular, Spencer continued, showed the gradual infiltration of distinctions of dress. Moralists in the fourteenth and fifteenth centuries asserted that by "extravagance in dress all ranks were confounded." In the sixteenth century "women were sent to prison by scores for wearing clothes like their superiors".

How this diffusion of dresses marking honourable position and disuse of dresses marking inferiority has gone far among ourselves, but is still incomplete, is shown in almost every household. On the one hand we have the fashionable gowns of cooks and housemaids; on the other hand we have that dwarfed representative of the muslin cap, which, once hiding the hair was insisted upon by mistresses as a class distinction, but which, gradually dwindling, has now become a small patch on the back of the head.[2]

There were fundamental parallelisms between the celestial rule and the terrestial rule:

Ellis tells us that the Tahitians had a great religious festival at the coronation of their kings. During the ceremonies, he was girded with the sacred girdle of red feathers, which identified him with the gods. And then in ancient Rome, says Mommsen, the king's "costume was the same as that of the supreme god; the state-chariot, even in the city where everyone else went on foot, the ivory scepter with the eagle, the vermilion-painted face, the chaplet of oaken leaves in gold, belonged alike to the Roman god and to the Roman king."

Spencer's conclusions were again the same as those regarding other "ceremonial institutions".

[1] *Principles of Sociology*, paragraph 412.

[2] *Ibid.*, paragraph 414.

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. . . We see, in the genesis of badges and costumes, how ceremonial government begins with and is developed by, militancy. These badges which carry us back for their derivation to trophies taken from the bodies of slain brutes and men, conclusively show this. . . . From the beginning these conspicuous marks of superiority and inferiority resulted from war. And after seeing how war incidentally initiated badges and costumes, we shall understand how there followed a conscious recognition of them as connected with success in arms, and as being for that reason honourable. . . . In Mexico, the king could not wear full dress before he had made a prisoner in battle.

But with the spread of industrialization, distinctions in dress tend to disappear. "Official costumes, in early times worn constantly, have tended in the less militant countries to fall into disuse, save during times for performing official functions, and in England, this change, more marked than elsewhere, has gone to the extent of leading even military and naval officers to assume "mufti" when off duty.[1] Veblen used these "badges" to designate the effective slavery of the industrial population by the property classes.

. . . The wearing of uniforms or liveries implies a considerable degree of dependence, and may be said to be a mark of servitude real or ostensible. The wearers of uniforms and liveries may be roughly divided into two classes —the free and the servile, or the ignoble and the noble. . . . What may add some perplexity is the fact that this fundamental distinction between noble and ignoble, which rests on the nature of the ostensible service performed, is traversed by a secondary distinction into honorific and humiliating, resting on the rank of the person for whom the service is performed or whose livery is worn. So, those offices which are by right the proper employment of the leisure class are noble; such are government, fighting, hunting, the care of arms . . . and the like; in short, those which may be classed as ostensibly predatory employments. On the other hand, those employments which properly fall to the industrial classes are ignoble, such as handicraft or other productive labour, menial services and the like.[2]

And the "pecuniary employments" are predatory employments. Even Spencer's examples are used by Veblen.

. . . The livery becomes obnoxious to nearly all who are required to wear it. We are yet *so little removed from a state of effective slavery* as still to be fully sensitive to the sting of any imputation of servility. This antipathy asserts itself even in the case of the liveries or uniforms which some corporations prescribe as the distinctive dress of their employees. In this country the aversion even goes the length of discrediting—in a mild and

[1] *Ibid.*, paragraph 415.

[2] *The Theory of the Leisure Class*, p. 78.

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uncertain way—those government employments, military and civil, which required the wearing of a livery or uniform.[1]

Spencer reached the conclusion that dress was an expression of the militant order.

> Most striking, is the evidence yielded by the general contrast between the controlling part of each society and the controlled part. The facts that those who form the regulative organization, which is originated by militancy, are distinguished from those who form the organization regulated, which is of industrial origin, by the prevalence among them of visible signs of rank; and that the militant part of this regulative organization is more than the rest characterized by the conspicuousness, muliplicity and definiteness, of those costumes and badges which distinguish both its numerous divisions and the numerous ranks in each division; are facts unmistakably supporting the inference that militancy has generated all these marks of superiority and inferiority.[2]

Thus Veblen spoke of "dress as an expression of the pecuniary culture".

So far for Spencer, the inquiry has shown how "from primitive usages of the ceremonial kind, there are derived usages, which, in course of time, lose the more obvious traces of their origin". For Veblen, the inquiry into "the theory of the leisure class" might be said to show by "these primitive usages of a ceremonial kind", the more obvious traces of the "origins" of property as the life of predation.

Spencer continued his discussion with a study of "group of secondarily derived usages still more divergent" in a chapter called "Further Class Distinctions." Of course in simple peaceable primitive tribes these "further class distinctions" were not found. The "origins" of these

> derivative class distinctions are sequent upon differences of wealth; which themselves originally follow differences of power. From that earliest stage in which master and slave are literally captor and captive, abundance of means has been the natural concomitant of mastery and poverty the concomitant of slavery. Hence where the militant type of organization predominates, being rich implies being victorious or having the political supremacy gained by victory.

In a militant society, marks of wealth are regarded as marks of honor, for wealth signifies prowess.

[1] *Ibid.*, p. 80. Italics mine.

[2] *Principles of Sociology*, paragraph 415.

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. . . Among the Mishmis, "the skull of every animal that has graced the board, is hung up as a record in the hall of the entertainer; . . . and when he dies, the whole smoke-dried collection of many years is piled upon his grave as a monument of his riches and a memorial of his worth."

. . . "The Bambarans", says Caillie, "hang on the outside of their huts the heads of all the animals they eat; this is looked upon as a mark of grandeur." And then on the Gold Coast, "the richest man is the most honoured. . . ." Naturally the honouring of wealth, beginning in these early stages, continues through subsequent stages; and signs of wealth hence become class-distinctions; so originating various ceremonial restrictions.[1]

For clear examples of these ceremonial restrictions "arising" from the predatory character of wealth, Spencer turns to tropical countries "where the irritation produced by flies is a chief misery of life and sundry habits which in our eyes are repulsive result from endeavors to mitigate this misery". The protection used is indicative of wealth or power.

. . . Juarros says: "The barbarians, or unreclaimed Indians of Guatemala . . . always paint themselves black, rather for the purpose of defence against mosquitoes than for ornament." And then we get an indication that where the pigment used, being decorative and costly, is indication of wealth, the abundant use of it becomes honourable. In Tanna "some of the chiefs show their rank by an extra coat of pigment (red earth on the face), and have it plastered on as thick as clay". Coming in this way to distinguish the man of power who possesses much, from the subject men who possess little, the putting on of a protective covering to the skin grows into a ceremony indicating supremacy. Says Dr. Duron of the Mexicans, "they anointed [Vitziliuitl, the elected king] on his whole body with the bitumen with which they anointed the statue of their god Vitzilopochtli. . . .

Instead of earths, paints, and bituminous substances, other people employ for protecting the skin, oils and fatty matters. Proof exists that the use of these also, in great quantiy and of superior quality, serves to indicate wealth, and consequently rank. . . .

"The richer a Hottentot is," says Kolben, "the more Fat and Butter he employs in anointing himself, and his family. This is the grand Distinction between the Rich and Poor. . . . Everyone's Wealth, Magnificence, and Finery being measured by the Quantity and delicacy of the Butter and Fat, upon his Body and Apparel."

As a conclusion from his evidence Spencer was very insistent upon the unique relationship between wealth and power.

When we find that among some uncivilized people the abundance and fine quality of the fat used for protecting the skin marks wealth, and conse-

[1] *Ibid.*, paragraph 416.

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quently rank; when we join with this a proof that the anointing with unguents among the Egyptians was an act of propitiation, alike to gods, kings, deceased persons, and ordinary guests, and when we remember that the anointment with which Christ was anointed was "precious"; we may reasonably infer that this ceremony attending investiture with sovereignty was originally one indicating the wealth that implied power.[1]

Now in "The Economic Theory of Woman's Dress", which is the forerunner of *The Theory of the Leisure Class* and became chapter seven ("Dress as an Expression of the Pecuniary Culture") in the book, Veblen said:

The admissible evidence of the woman's expensiveness has considerable range in respect of form and method, but in substance it is always the same. It may take the form of manners, breeding, and accomplishments that are, *prima facie*, impossible to acquire or maintain without such leisure as bespeaks a considerable and relatively long-continued possession of wealth. It may also express itself in a peculiar manner of life, on the same grounds and with much the same purpose. But the method in vogue always and everywhere, alone or in conjunction with other methods, is that of dress. "Dress", therefore from the economic point of view, comes pretty near being synonymous with "display of wasteful expenditure".

Now note the examples:

The extra portion of butter, or other unguent, with which the wives of the magnates of the African interior anoint their persons, beyond what comfort requires, is a form of this kind of expenditure lying on the border between primitive personal embellishment and incipient dress. So also the brass-wire bracelets, anklets, etc., at times aggregating some thirty pounds in weight, worn by the same class of persons, as well as, to a less extent, by the male population of the same countries. So also the pelt of the arctic fur seal, which the women of civilized countries prefer to fabrics that are preferable to it in all respects but that of expense. So also the ostrich plumes and the many curious effigies of plants and animals that are dealt in by the milliners. The list is inexhaustible for there is scarcely an article of apparel of male or female, civilized or uncivilized, that does not partake largely of this element, and very many may be said, in point of economic principle, to consist of virtually nothing else.[2]

In view of the rôle of womankind in Veblen's methodology, woman's dress was an excellent instrument to drive home the coercive restrictive character of property. "A discussion of the theory of dress in general will gain in brevity and concise-

[1] *Ibid.*, paragraph 417.

[2] "The Economic Theory of Woman's Dress", *Popular Science Monthly*, Dec. 1894, pp. 200-201.

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ness by keeping in view", said Veblen, "the concrete facts of the highest manifestation of the principles with which it has to deal". The highest manifestation of the fundamental coercive principle of property is unquestionably seen in the apparel of the women of the most advanced modern "communities". Other examples of the use of similar ceremonies to indicate the nature of wealth are given by Spencer.

> . . . As the possession of chair-bearers, who in early stages are slaves, implies alike the mastery and the wealth always indicative of rank in societies of militant type; so, too, does possession of attendants to carry umbrellas or other protection against the sun. . . . Still further east this symbol of dignity is multiplied to produce the idea of greater dignity.

As regards canopies, a closely allied phenomenon illustrating the devout worship of wealth, Spencer said:

> . . . In Utlathan the king sat under four canopies, the "elect" under three, the chief captain under two, and the second captain under one. And here we are reminded that this developed form of the umbrella having four supports, is alike in the East and in Europe, used in exaltation of both the divine ruler and the human ruler: in the one region borne by attendants over kings and supported in a more permanent manner over the cars in which idols are drawn; and in the other used alike in state processions and ecclesiastical processions, to shade now the monarch, now the Host.

"Of course with regulations giving the higher ranks the exclusive enjoyment of the more costly conveniences", said Spencer, "there go others forbidding the inferior to have conveniences of even less costly nature. . ." In Fiji, the best kind of mat for lying is forbidden to the common people.[1]

Among the sumptuary restrictions cited by Spencer was one relative to the consumption of human flesh; in this instance, cannibalism was restricted to the chiefs and gentry.[2] For Veblen, of course, the "chiefs and gentry" are the possessors of property and captains of industry.

"Of the various class-distinctions," said Spencer, "which imply superior rank by implying greater wealth, the most curious remain". As one reads Spencer's grim tale one may think he is reading Veblen with his discussions of the "emaci-

[1] *Principles of Sociology*, paragraph 419.

[2] *Ibid.*, paragraph 420.

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ated lady," Chinese customs and gentlemen's diseases, as illustrations of the binding, predacious character of wealth.

. . . I refer to certain inconvenient, and sometimes painful, traits only to be acquired by those whose abundant means enable them to live without labour, or to indulge in some kind of sensual excess.

One group of these distinctions, slightly illustrated among ourselves by the pride taken in delicate hands as indicating freedom from manual labor, is exhibited in marked forms in some societies that are comparatively little advanced. "The chiefs in the Society Islands value themselves on having long nails on all, or on some of their fingers." "Fijian kings and priests wear the finger nails long", says Jackson, and in Sumatra "persons of superior rank encourage the growth of their hand-nails . . . to an extraordinary length. Everyone knows that a like usage has a like origin in China. . . . China furnishes a far more striking instance in the cramped feet of ladies. Obviously these have become signs of class-distinction, because of the implied inability to labour, and the implied possession of means sufficient to purchase attendance. Then, again, as marking rank because implying riches, we have undue, and sometimes excessive fatness; either of the superior person himself or of his belongings. The beginnings of this may be traced in quite early stages; as among some uncivilized American peoples. "An Indian is *respectable* in his own community, in proportion as his children look fat and well fed, this being a proof of his prowess and success as a hunter, and his consequent riches." From this case, in which the relation between implied wealth and implied power is directly recognized, we pass in the course of social development to cases in which, instead of the normal fatness indicating sufficiency, there comes the abnormal fatness indicating superfluity, and, consequently, greater wealth. In China great fatness is a source of pride in a mandarin. Ellis tells us that corpulence is a mark of distinction among Tahitian females. Throughout Africa there prevails an admiration for corpulence in women, which, in some places, rises to a high pitch, as in Karague where the king has "very fat wives"—where, according to Speke, the king's sister-in-law "was another of those wonders in obesity, unable to stand excepting on all fours", and where, "as fattening is the first duty of fashionable female life, it must be duly enforced by the rod if necessary."

Still stranger are the marks of dignity constituted by disease resulting from those excessive gratifications of appetite which wealth makes possible. Even among ourselves may be traced an association of ideas which thus originates. The story about a gentleman of the old school, who, hearing that some man of inferior extraction was suffering from gout, exclaimed, "Damn the fellow; wasn't rheumatism good enough for him", illustrates the still current idea that gout is a gentlemanly disease because it results from that high living which presupposes the abundant means usually associated with superior position. Introduced by this instance, the instance which comes to us from Polynesia will seem not unnatural. "The habitual use of ava causes a whitish scurf on the skin, which among the heathen Tahitians was reckoned a badge of nobility; the common people not having the means of indul-

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gence requisite to produce it." But of all marks of dignity arising in this way, or indeed in any way, the strangest is one which Ximenez tells us of as existing among the people of ancient Guatemala. The sign of a disorder, here best left unspecified, which the nobles were liable to, because of habits which wealth made possible, had become among the Guatemalans a sign of greatness and majesty", and its name was applied even to the deity![1]

So Spencer said "how these further class distinctions are traceable to militancy, and how they fade as industrialism develops need not be shown at length." Spencer concluded the discussion of these "Further Class Distinctions" in the same manner as he had the previous ceremonial institutions; "Foregoing instances make it clear that they are still maintained rigorously in societies characterized by that type of organization which continuous war establishes; and that they prevailed to considerable degrees during the past warlike time of more civilized societies". Spencer, bound by what Veblen called the preconception of the natural right of property, believed that the absence of legal restraint, and the allowance of imitation of superiors "by inferiors", were characteristic of the industrial order.[2] But Veblen, with his recognition of the *de facto* coercive power of property, sees in the absence of legal restraint the more strenous application of predatory traits to the acquirement of the expansible means of power.

Thus Spencer bore testimony to Veblen's assertion that "among the motives which lead men to accumulate wealth, the primacy both in scope and intensity, therefore, continues to belong to this motive of pecuniary emulation."[3] "No matter what form all these supplementary rules take, said Spencer, they "belong to a social régime based on coercive co-operation."[4] And these suplementary rules can be used to characterize the present system of "coercive co-operation", the "quasi peaceable" life of property. Veblen, making use once more of the rôle of womankind, puts the case in this way:

In the earlier phases of the predatory culture the only economic differentiation is a broad distinction between an honourable superior class made up

[1] *Ibid.*, paragraph 421.

[2] *Ibid.*, paragraph 422.

[3] *The Theory of the Leisure Class*, p. 59.

[4] *Principles of Sociology*, paragraph 422.

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of the able-bodied men on the one side, and a base inferior class of labouring women on the other. According to the ideal scheme of life in force at that time it is the office of the men to consume what the women produce. Such consumption as falls to the women is merely *incidental* to their work; it is a means to their continued labour, not to the fullness of their life. Unproductive consumption of goods is honourable, primarily as a mark of prowess and a perquisite of human dignity; secondarily, it becomes substantially honourable in itself, especially the consumption of the more desirable things. The consumption of choice articles of food, and frequently also of rare articles of adornment, becomes tabu to the women and children, and *if there is a base (servile) class of men*, the tabu holds also for them. With a further advance in culture this tabu may change into simple custom of a more or less rigorous character; but whatever be the theoretical basis of the distinction which is maintained, whether it be a tabu or *a larger conventionality*, the features of the conventional scheme do not change easily. When *the quasi-peaceable stage of industry is reached, with its fundamental institution of chattel slavery*, the general principle, more or less rigorously applied, is that the *base, industrious* class should consume only what *may be necessary to their subsistence*. In the nature of things, luxuries and the comforts of life belong to the leisure class. Under the tabu, certain victuals and more particularly certain beverages are strictly reserved for the use of the superior class.

The *ceremonial* differentiation of the dietary is best seen in the use of intoxicating beverages and narcotics. If these articles of consumption are costly, they are felt to be noble and honorific. Therefore the *base* classes, primarily the women, practice an enforced continence with respect to these stimulants except in countries where they are obtainable at a very low cost. From archaic times down through *all the length of the patriarchal régime* it has been the office of women to prepare and administer these luxuries, and it has been the perquisite of the men of gentle birth and breeding to consume them. Drunkenness and the other pathological consequences of the free use of stimulants therefore tend in their turn to become honorific, as being a mark, at the second remove, of the superior status of those who are able to afford the indulgence. Infirmities induced by over-indulgence are among some peoples freely recognized as manly attributes. It has even happened that the name for certain diseased conditions of the body arising from such an origin has passed into everyday speech as a synonym for "noble" and "gentle". It is only at a relatively early stage of culture that the symptoms of expensive vice are conventionally accepted as marks of superior status, and so tend to become virtues and command the deference of the community; but the reputability that attaches to certain expensive vices long retains so much of its force as to appreciably lessen the disapprobation visited upon the men of the wealthy or noble class for any excessive indulgence. The same invidious distinction adds force to the current disapproval of any indulgence of this kind on the part of women, minors, and *inferiors*. This invidious traditional distinction has not lost its force even *among the more advanced peoples* of to-day. Where the example set by the leisure class retains its imperative force in the regulation of the convention-

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alities, it is observable that the women still in great measure practice the same traditional continence with regard to stimulants.[1]

That he was deliberately, in the midst of his guarded paragraphs, aiming at the pecuniary culture with its dependent class of workmen symbolized by the rôle of women is clear from what follows:

This characterization of the greater continence in the use of stimulants by the women of the reputable classes may seem an excessive refinement of logic at the expense of common sense. But facts within easy reach of any one who cares to know them go to say that the greater abstinence of women is in some part due to an imperative conventionality; and this conventionality is, in a general way, strongest where the patriarchal tradition—the tradition that *the woman is a chattel*—has retained its hold in greater vigour. In a sense which has been greatly qualified in scope and rigour, but which *has by no means lost its meaning*, even yet, this tradition says *that the woman being a chattel should consume only what is necessary to her sustenance* except so far as her further consumption contributes to the comfort or the good repute of her master. The consumption of luxuries in the true sense, is a consumption directed to the comfort of the consumer himself, and is, therefore, a mark of the master. Any such consumption by others can take place only on the basis of suffrance. In communities where the popular habits of thought have been profoundly shaped by the patriarchal tradition we may accordingly look for survivals of the tabu on luxuries at least to the extent of a conventional deprecation of their use by the *unfree and dependent* classes. This is more particularly true as regards certain luxuries, the use of which by the *dependent* class would detract sensibly from the comfort or pleasure of their masters, or which are held to be of doubtful legitimacy on other grounds. In the *apprehension of the great conservative middle class of Western civilization*, the use of these various stimulants is obnoxious to at least one, if not both, of these objections; and it is a fact *too significant* to be passed over that it is *precisely among these middle classes* of the Germanic culture with their strong surviving *sense of the patriarchal proprieties*, that the women are to the greatest extent subject to a qualified tabu on narcotics and alcoholic beverages.[2]

Spencer next took up "Fashions". Fashions arose as "behavior imitative first of a superior's defects and then little by little of other traits peculiar to him."[3] Fashion "is intrinsically imitative".[4] We quote part of the passage in which Spencer elaborates this theme.

[1] *The Theory of the Leisure Class*, pp. 69-71. Italics mine.

[2] *Ibid.*, pp. 71-72. Italics mine.

[3] *Principles of Sociology*, paragraph 426.

[4] *Ibid.*, paragraph 423.

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Given a society characterized by servile submission, and in what cases will a superior be propitiated by the imitation of an inferior? In respect of what traits will assumption of equality with him be complimentary? Only in respect to his defects.

From the usages of those tyrannically-ceremonious savages the Fijians, may be given an instance well illustrating the motive and the result.

"A chief was one day going over a mountain-path followed by a long string of his people, when he happened to stumble and fall; all the rest of the people immediately did the same, except one man, who was instantly set upon by the rest, to know whether he considered himself better than his chief." Respect must be shown by following the example of those in authority.

. . . In Africa among the people of Darfur, "If the Sultan, being on horseback, happens to fall off, all his followers must fall off likewise, and should anyone omit this formality, however great he may be, he is laid down and beaten."

. . . In 1461 Duke Philip of Burgundy, having had his hair cut off during an illness, "issued an edict that all the nobles of his state should be shorn also. From this instance in which the ruler insisted on having his defect imitated by the ruled against their wills (for many disobeyed), we may pass to a later instance in which a kindred imitation was voluntary. In France, in 1665, after the operation on Louis XIV for fistula, the royal infirmity became the fashion among the courtiers.

"Some who had previously taken care to conceal it were now not ashamed to let it be known. There were even courtiers who chose to be operated on in Versailles, because the king was then informed of all the circumstances of the malady. I have seen more than thirty wishing to be operated on, and whose folly was so great that they were annoyed when told that there was no occasion to do so."

And now if with cases like these we join cases in which a modification of dress which a king adopts to hide a defect (such as deep neckcloth where a scrofulous neck has to be concealed) is imitated by courtiers, and spreads downwards, we see how from that desire to propitiate which prompts the pretense of having a like defect, there may result fashion in dress; and how from approval of imitations of this kind may insensibly come tolerance of other imitations.[1]

"Competitive imitation" or what Veblen called "pecuniary emulation" strengthens this perversion of human dignity.

. . . Members of savage tribes are not infrequently led by the desire for applause into expenditures relatively more lavish than are the civilized. There are barbarous peoples among whom the expected hospitalities on the occasion of a daughter's marriage are so costly as to excuse female infanticide, on the ground that the ruinous expense which rearing the daughter would eventually entail is thus avoided. Thomson and Angas unite in describing the extravagance into which the New Zealand chiefs are impelled

[1] *Ibid.*, paragraph 424.

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by fashion in giving great feasts, as often causing famines—feasts for which chiefs begin to provide a year before — each being expected to out-do his neighbors in prodigality. And the motive thus coming into play early in social evolution, and making equals vie with one another in display, similarly all along prompts the lower to vie, so far as they are allowed, with the higher. Everywhere and always the tendency of the inferior to assert himself has been in antagonism with the restraints imposed upon him and a prevalent way of asserting himself has been to adopt costumes and appliances and customs like those of his superior. Habitually there have been a few of subordinate rank, who, for one reason or other, have been allowed to encroach by imitating the ranks above; and habitually the tendency has been to multiply the precedents for imitation and so to establish for wider classes the freedom to live and dress in ways like those of the narrower classes.

Especially has this happened as fast as rank and wealth have ceased to be coincident—as fast, that is, as industrialism has produced men rich enough to compete in style of living with those above them in rank. Partly from the greater means, and partly from the consequent greater power, acquired by the upper grades of producers and distributors, and partly from the increasing importance of the financial aid they can give to the governing classes in public and private affairs; there has been an ever-decreasing resistance to the adoption by them of usages originally forbidden to all but the high born.[1]

But Spencer, with his preconception of a natural right of property always playing havoc with his evolutionary conceptions, attempted to distinguish between ceremony and fashion, and make fashion the accompaniment of an industrial order. According to Spencer:

. . . Though when, in our day, a wealthy Quaker, refusing to wear the dress worn by those of like means, refuses also to take off his hat to a superior, we commonly regard these nonconformities as the same in nature; we are shown that they are not, if we go back to the days when the salute to the superior was insisted on under penalty, while the imitation of the superior's dress, far from being insisted on, was forbidden. Two different authorities are defied by his acts—the authority of class-rule, which once dictated such obeisances, and the authority of social opinion, which thinks non-conformities in dress imply inferior *status*.

So that, strange to say, Fashion as distinguished from Ceremony, is an accompaniment of the industrial type as distinguished from the military type.

Spencer's examples are curious.

. . . It needs but to observe that by using silver forks at his table, the tradesman so far asserts his equality with the squire; or still better, to observe how the servant-maid out for her holiday competes with her mistress in displaying the last style of bonnet; to see how the regulations of conduct

[1] *Ibid.*, paragraph 425.

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grouped under the name Fashion imply increasing liberty which goes along with the substitution of peaceful activities for war-like activities.[1]

But, for Veblen, the mere absence of legal restriction of the emulatory propensity does not hinder its logical outcome.

. . . It is worth while to remark that all that class of ceremonial observances which are classed under the general head of manners hold a more important place in the esteem of men during the stage of culture at which conspicuous leisure has the greatest vogue as a mark of reputability, than in later stages of the cultural development. The barbarian of the quasi-peaceful stage of industry is notoriously a more high-bred gentleman in all that concerns decorum than any but the very exquisite among the men of a later age. Indeed, it is well known . . . that manners have progressively deteriorated as society has receded from the patriarchal stage. Many a gentleman of the old school has been provoked to remark regretfully upon the under-bred manners and bearing of even the better classes in the modern industrial communities; and the decay of the ceremonial code—or as it is otherwise called the *vulgarization* of life—among the *industrial classes proper* has become one of the chief enormities of latter-day civilization in the eyes of all persons of delicate sensibilities. The decay which the code has suffered at the hands of a busy people testifies to the fact that decorum is a product and an expression of leisure-class life and thrives in full measure only under a régime of status.

. . . In great part the ceremonial code of decorous usages owes its beginning and its growth to the desire to conciliate or to show good will; as anthropologists and sociologists are in the habit of assuming, and this initial motive is rarely if ever absent from the conduct of well-mannered persons at any stage of the later development. Manners, we are told, are an elaboration of gesture, and in part they are symbolical and conventionalized survivals representing former acts of dominance or of personal service or of personal contact. In large part they are an *expression of the relation of status*,—a pantomine of mastery on the one hand and of subservience on the other. *Wherever at the present time the predatory habit of mind, and the consequent attitude of mastery and subservience, gives its character to the accredited scheme of life, there the importance of all punctilios of conduct is extreme, and the assiduity with which the ceremonial observance of rank and titles is attended to approaches closely to the ideal set by the barbarian of the quasi-peaceful nomadic culture.*

. . . Their ulterior, economic ground is to be sought in the honorific character of that leisure or *non-productive employment* of time and effort without which good manners are not acquired. . . . In the last analysis the value of manners lies in the fact that they are the vouchers of a life of leisure. Therefore, conversely, since leisure is the conventional means of pecuniary repute, the acquisition of some proficiency in decorum is incumbent on all who aspire to a modicum of pecuniary decency.[2]

[1] *Ibid.*, paragraph 426.

[2] *The Theory of the Leisure Class*, pp. 46-49. Italics mine.

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It may be remarked that in another place (three hundred pages later) Veblen defines the "canons of pecuniary decency" as "the principles of waste, futility, and ferocity".[1] In another passage Veblen amplifies his view.

> Much of the courtesy of every-day intercourse is of course a direct expression of consideration and kindly good-will, and this element of conduct has for the most part no need of being traced back to any underlying ground of reputability to explain either its presence or the approval with which it is regarded; but the same is not true of the code of proprieties. These latter are *expressions of status*. It is of course sufficiently plain, to anyone who cares to see, that our bearing towards menials and other *pecuniarily dependent inferiors* is the bearing of the superior member in a *relation of status*, though its manifestation is often *greatly modified and softened from the original expression of crude dominance*. Similarly, our bearing towards superiors, and in great measure towards equals, expresses a more or less conventionalized attitude of subservience. Witness, the masterful presence of the high-minded gentleman or lady, which testifies to so much of dominance and independence of economic circumstances, and which at the same time appeals with such convincing force to our sense of what is right and gracious. It is among this highest leisure class, who have no superiors and few peers, that decorum finds its fullest and maturest expression; and it is this highest class also that gives decorum that definitive formulation which serves as a canon of conduct for the classes beneath. And here also the code is most obviously a *code of status* and shows most plainly its incompatibility with all *vulgarly productive work*. A divine assurance and an imperious complaisance, as of one habituated to require subservience and to take no thought for the morrow, is the birthright and the criterion of the gentleman at his best, and it is in popular apprehension even more than that, for this demeanor is accepted as an intrinsic attribute of superior worth, before which the base-born commoner delights to stoop and yield.[2]

All this fits in well with Spencer's concluding discussion of ceremonial institutions. "From the beaten dog which crawling on its belly licks its master's hand", said Spencer, "we trace up the general truth that ceremonial forms are naturally initiated by the relation of conqueror and conquered, and the consequent truth that they develop along with the militant type of society."[3] Bearing in mind that Spencer with his preconception of the natural right of property assumed that the system of free contract was an industrial system, whereas Veblen made it a militant system, one understands how the

[1] *Ibid.*, p. 351.

[2] *Ibid.*, pp. 52-53. Italics mine.

[3] *Principles of Sociology*, paragraph 429.

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following discussion of the "ethological bearing" of ceremonial institutions was turned by Veblen into a discussion of the warlike discipline of the modern leisure-class life of property.

The moral traits which accompany respectively the development of ceremonial rule and the decay of ceremonial rule may with advantage be named while noting how observances weaken as fast as industrialism strengthens.

We have seen that ceremony originates from *fear*: on the one side supremacy of a victor or master, on the other side dread of death or punishment felt by the vanquished or the slave. And under the *régime* of compulsory co-operation thus initiated, fear develops and maintains in strength all forms of propitiation. But with the rise of a social type based on voluntary co-operation, fear decreases. The subordinate ruler or officer is no longer wholly at the mercy of his superior; the trader, not liable to be robbed or tortured by the noble, has a remedy against him for non-payment; the labourer in receipt of wages, cannot be beaten like the slave. In proportion as the system of exchanging services under contract spreads and the rendering of services under compulsion diminishes, men dread one another less; and, consequently, become less scrupulous in fulfilling propitiatory forms.

War of necessity cultivates *deception*: ambush, manoeuvering, feints, and the like, involve acted lies; and skilful lying by actions is regarded as a trait of military genius. The slavery which successful war establishes, implies daily practice in duplicity. Against the anger of his cruel master a successful falsehood is the slave's defense. Under tyrants unscrupulous in their exactions, skilful lying is a means of salvation, and is a source of pride. And all the ceremonies which accompany the *régime* of compulsory co-operation are pervaded by insincerity; the fulsome laudations are not believed by the utterer; he feels none of that love for his superior which he professes, nor is he anxious for his welfare as his words assert. But in proportion as compulsory co-operation is replaced by voluntary co-operation, the temptation to deceive that penalties may be escaped, becomes less strong and perpetual; and simultaneously, truthfulness is fostered, since voluntary co-operation can increase only as fast as mutual trust increases; yet, on remembering that only by daily fulfillment of contract can these activities go on, we see that in the main the things promised are performed. And along with the spreading truthfulness thus implied, there goes on an increasing dislike of the more extreme untruthfulness implied in the forms of propitiation.

It scarcely needs saying that as social co-operation becomes less coercive and more voluntary, *independence* increases; for the two statements are different aspects of the same. Forced service implies dependence; while service rendered under agreement implies independence. Naturally, the different moral attitudes involved, expressing themselves in different political types, as relatively despotic and relatively free, express themselves also in the accompanying kinds of ceremonial rule that are tolerated or liked. In the one case, badges of subjection are thought honourable and pleasure is taken in

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acts of homage; in the other case, liveries come to be hated and there is a reluctance to use reverential forms approaching the obsequious. The love of independence joins the love of truthfulness in generating a repugnance to obeisances and phrases which express subordination where none is internally acknowledged.

The discipline of war being a discipline in destruction of life, is a discipline in *callousness*. Whatever sympathies exist are seared; and any that tend to grow up are checked. This unsympathetic attitude which war necessitates, is maintained by the coercive social co-operation which it initiates and evolves. The subordination of slave by master, maintained by use of whatever force is needful to secure services however unwilling, implies repression of fellow-feeling. This repression of fellow-feeling is also implied by insisting on forms of homage. To delight in receiving cringing obeisances shows lack of sympathy with another's dignity and with the development of a freer social type and accompanying increase of sympathy, there grows up on the part of superiors a dislike to these extreme manifestations of subjection coming from inferiors.

But the final trait brings out the real meaning of "pecuniary emulation", the objective end of the desire for wealth.

Once more, originating in societies which have the glory of victory in war as a dominant sentiment, developed ceremony belongs to a social state in which love of *applause* is the ruling social motive. But as fast as industrialism replaces militancy, the sway of this ego-altruistic sentiment becomes qualified by the growing altruistic sentiment, and with an increasing respect for others' claims, there goes a decreasing eagerness for distinctions which by implication subordinate them. Sounding titles, adulatory forms of address, humble obeisances, gorgeous costumes, badges, privileges of precedence, and the like, severally minister to the desire to be regarded with actual or simulated admiration. But as fast as the wish to be exalted at the cost of humiliation to others, is checked by sympathy, the appetite for marks of honour, becoming less keen, is satisfied with, and even prefers, more subdued indications of respect.

Veblen would agree with Spencer that "in various ways the moral character natural to the militant type of society fosters ceremony while the moral character natural to the industrial type is unfavourable to it."[1] But the pecuniary type was to be identified with the militant rather than the industrial type. The "emulative process of accumulation by the quasi-predatory methods of the pecuniary occupations" was not to be confused with "vulgarly productive" work.[2]

[1] *Ibid.*, paragraph 430.

[2] *The Theory of the Leisure Class*, pp. 335-336.

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The avowed disciple of Spencer[1] paid his intellectual debt by completely reversing Spencer's position. At the same time, since the later followers of the dominant tradition in economics, according to Veblen, "are prone to be Spencerians",[2] *The Theory of the Leisure Class* is a ruthless dissection of the modern economic order and of the traditional economic theory which is a "psychological precipitate of the traditional meritoriousness of wealth."[3] It is the story of the perversion of human usefulness, of the "generically human", including in particular industrial activity, by the principle of ownership exemplified in the "barbarian status of women", and the practitioners of the higher learning have aided this perversion by elaborating social science as an "expression of the pecuniary culture."

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[1] "Some Neglected Points in the Theory of Socialism", *loc. cit.*, p. 387.

[2] "Preconceptions of Economic Science", III, *op. cit.*, p. 167, footnote.

[3] *The Theory of the Leisure Class*, p. 118.

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APPROACHES TO HISTORY III[1]

IV

IN our last study we viewed the general attitudes of Fichte, Schelling and Hegel as suggested by the political situation in which they found themselves. We thus attributed to the political situation the attack on Rationalism and the appeal to an historical process.

Our approach was a social and political one: we read these philosophers in their immediate social and political context. We do not deny, however, that there are different ways of approaching these philosophers — as indeed any history of philosophy can prove. Instead of viewing the advent of Historicism and Nationalism as a passionate response to an immediate situation, one can regard it as stimulated by some earlier writer, whose viewpoint gradually prevailed and eventually conquered the intellectual world. One could, for instance, suggest Herder as the primary source of nineteenth-century Historicism. In the days of Rationalism, Enlightenment and Cosmopolitanism, he was invoking History and Nationalism and was postulating an "organic" development of the National Spirit. There is little doubt that the philosophers under discussion — as well as most writers of the Romantic Period—were acquainted with Herder's ideas, nor can there be much doubt that they used them. One could find in Herder even the Romantic admiration for the Middle Ages. The organic concept of development of Novalis and Schelling and, in substance, the entire German historical attitude of the early nineteenth century could also be traced back to Herder. For did not Herder tell us that "all things rest upon one another and have grown one out of another"?[2] We are even

[1] This is the third of a series of articles, the first and second of which were published in the POLITICAL SCIENCE QUARTERLY for December 1929 and December 1930.

[2] R. Ergang, *Herder and the Foundations of German Nationalism* (New York, 1931), p. 218. A very forceful and very able presentation of Herder's

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told by many writers that Herder was the precursor of Darwin,[1] and some have actually proceeded to regard Herder as the very cornerstone of German culture.[2]

As we have emphasized before, let us emphasize again that in dealing with a problem we approach it in a certain way, and this approach of ours implies the formulation of the problem and indicates its so-called solution. If we do not realize this significance of an approach, and are not conscious of the many possible approaches, we are joining that altogether too large class of scholars so aptly characterized by Goethe:

> In meinem Revier
> Sind Gelehrte gewesen;
> Ausser ihrem eignen Brevier
> Konnten sie keines lesen.

The question, for instance, of the rôle of Herder is entirely a matter of approach and it involves our general attitude toward precursors of vast movements. It is quite in keeping with the genetic view of modern scholarship to credit to Herder our nineteenth-century historical attitudes as well as German Nationalism. We may, however, choose not to attribute the great passionate movement that followed in the wake of the Revolution, the Napoleonic Wars, to the dissemination of the ideas of Johann Gottfried Herder! In fact, if we approach the situation so that we do see the smoke of war rising over the Continent, we may see the national passions awakened

paramount influence on nineteenth-century thought is found in Franz Schultz, "Die philosophisch-weltanschauliche Entwicklung der literarhistorischen Methode"—the first essay of E. Ermatinger's *Philosophie der Literaturwissenschaft* (Berlin, 1930). So, for instance, Schultz tells us: "Der Herdersche Gedanke der organische Entwicklung ist und bleibt überhaupt das wichtigste methodologische Ferment für Geisteswissenschaft des 19ten Jahrhunderts. Das Wesen einer Sache wird für Herder aufgezeigt, indem man ihre Entstehung zeigt" (p. 13).

[1] *Ibid.*, p. 219.

[2] Joseph Nadler, "Goethe oder Herder?", *Hochland*, vol. XXII, pp. 1-15. See Julius Petersen, *Die Wesenbestimmung der Deutschen Romantik* (1926), p. 2: "Nun ist es anders geworden. Schon bekommen wir zu hören, dass Herder und Görres, nicht Goethe, die beiden Eckpfeiler deutscher Kultur seien."

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without the slightest recourse to Herder, and the same is true of German Historicism.

While it is true that German Historicism received its most distinguished formulation, and found its expression in perhaps the most stimulating and most audacious system of philosophy that the world has ever seen, the mobilization of History against Revolutionary Reason was not specifically German. The French counter-revolutionaries did not neglect the appeal to history. In a sense they formed a French Catholic counterpart to German philosophy of the counter-revolutionary period. The writings of Count Joseph de Maistre and Vicomte Louis de Bonald were representative of the type.[1] So we see Vicomte de Bonald appealing to history to prove what nonsense the theory of the sovereignty of the people is when historically considered.[2] And whatsoever subject he does consider he tries to combine history and "nature" to prove its inevitability. Thus, French institutions—monarchy, peerage and its property relations, etc.—were in all their growth part of "nature", for it is nature that operates in the history of mankind.[3] This idea that the historical process is a process of nature we shall soon find in German philosophy, though quite differently formulated. The last and final word in organized society is

[1] The calm and dispassionate character of the literature that we are dealing with is perhaps indicated by the remark of Professor Robertson in his introduction to Schlegel's *Philosophy of History*: "The aristocracy of French literature, and a very splendid aristocracy it is, has been for the last twenty years decidedly Catholic. The enemies of the church are to be found almost exclusively in the bourgeoisie, and still more in the canaille, of that literature." F. Schlegel, *The Philosophy of History*, translated by James Burton Robertson (London, 1835), vol. I, p. xix.

[2] "Des hommes qu'on a honorés du titre de métaphysiciens politiques, et dont toute la métaphysique est l'obscurité d'un esprit faux, et toute la politique les désirs effrénés d'un coeur corrompu, ont avancé que la souveraineté résidait dans le peuple. C'est là une proposition générale ou abstraite; mais, lorsqu'on veut en faire l'application à l'histoire ou par l'histoire, il se trouve que le peuple n'a jamais été et qu'il ne peut jamais être souverain: car où seraient les sujets quand le peuple est souverain? . . ." Vicomte Louis de Bonald, *Théorie de pouvoir politique et religieux dans la société civile* (1796), in *Oeuvres complètes* (Paris, Migne, 1864), vol. I, p. 132.

[3] *Ibid.*, pp. 286-287.

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of course the Christian monarchy, and its destruction is unnatural and but a temporary relapse to savagery and idolatry.[1]

Montesquieu's view of the physico-climatic determination of traits physical and moral is rejected by de Bonald as interfering with the consistent historical performance of definite traditional moral, political and religious institutions. Here de Bonald shows a true insight into the significance of attitudes in giving to purposeful education the power to transmit and to conserve the historical character of a nation. Here he shows a simple clarity of mind and a frankness that are refreshing in a political philosopher.[2]

Joseph de Maistre is usually classed with de Bonald. He reacts to the French Revolution in about the same way, but, of the two, the palm of recognition and popular acceptance belongs to de Maistre. De Maistre appeals to history, and to the Church as a divine part of history. The Revolution was not man-made, but a visitation of Providence sent to us on account of our sins.[3] The Revolution cannot achieve anything, because history teaches that a great and indivisible republic cannot endure.[4] Constitutions cannot be created by constituent

[1] "Les sociétés monarchiques chrétiennes sont donc le dernier état, le terme extrême du développement de la société extérieure ou politique et de la société intérieure ou religieuse. La preuve en est évidente, puisqu'une société où la monarchie et le christianisme ont été abolis à la fois, est revenue aussitôt à l'état barbare d'une société idolâtre et sauvage." *Ibid.*, p. 482.

[2] "Mais si l'on ne doit pas croire à l'effet des climats sur l'homme physique, et bien moins encore sur l'homme moral, on ne peut s'empêcher d'attribuer beaucoup d'influence à la transmission héréditaire, c'est-à-dire que les moeurs et le caractère d'un peuple se forment par les institutions religieuses et politiques . . . et une fois le caractère et les moeurs formés par les institutions, si un gouvernement *qui gouverne* a soin de conserver les institutions dans toute leur pureté, les habitudes de la nation se maintiennent, les qualités se transmettent par la succession, se développent par l'imitation, se forment par l'éducation, et le caractère national se conserve. . . ." *Ibid.*, p. 420.

[3] "On ne saurait trop le répéter, ce ne sont point les hommes qui mènent la révolution, c'est la révolution qui emploie les hommes. On dit fort bien, quand on dit *qu'elle va toute seule.* Cette phrase signifie que jamais la Divinité ne s'était montrée d'une manière si claire dans aucun évènement humain. Si elle emploie les instruments les plus vils, c'est qu'elle punit pour régénérer." J. de Maistre, *Considérations sur la France* (1796), in *Oeuvres complètes* (Lyons, Librairie générale catholique et classique, 1891), vol. I, p. 7.

[4] "Il vaudrait mieux faire cette autre question: La république peut-elle

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assemblies and deliberations of men; rather are they products of time and of history.[1] What distinguishes for de Maistre the peculiar national historical character of France, France's "*Volksgeist*"—if we may use the later German equivalent for the same concept—is its theocratic quality. The French monarchy had a theocratic element, and it was this element which preserved it for fourteen centuries. No other European nation was so governed by bishops and prelates as was France, and the bishops who thus guided the civil affairs and the temporal destinies of France were but successors of the Druid priests.[2] History, and history alone, must be invoked in all political considerations, for only history reveals to us the nature of man; and history teaches that the most "natural" form of government is monarchy.[3] Here is a *sui generis* appeal to

exister? On le suppose, mais c'est aller trop vite, et la question préalable semble très-fondée; car la nature et l'histoire se réunissent pour établir qu'une grande république indivisible est une chose impossible. . . . La chose est si claire d'elle-même, que la théorie pourrait se passer de l'expérience; mais l'expérience, qui décide toutes les questions en politique comme en physique, est ici parfaitement d'accord avec la théorie." *Ibid.*, p. 41.

[1] "Aucune constitution ne résulte d'une délibération; les droits des peuples ne sont jamais écrits, ou du moins les actes constitutifs ou les lois fondamentales écrites ne sont jamais que des titres déclaratoires de droits antérieurs, dont on ne peut dire autre chose, sinon qu'ils existent parcequ'ils existent. . . ." *Ibid.*, p. 67.

[2] ". . . on trouvera, dans les monuments du droit public français, des caractères et des lois qui élèvent la France audessus de toutes les monarchies connues.

"Un caractère particulier de cette monarchie c'est qu'elle possède un certain élément théocratique qui lui est particulier, et qui lui a donné quatorze cents ans de durée: il n'y a rien de si national que cet élément. Les évèques, successeurs des Druides sous ce rapport, n'ont fait que le perfectionner.

"Je ne crois pas qu'aucune monarchie européenne ait employé, pour le bien de l'état, un plus grand nombre de pontifes dans le gouvernement civil . . . véritables Orphées de la France, qui apprivoisèrent les tigres, et se firent suivre par les chênes: je doute qu'on puisse montrer ailleurs une série pareille." *Ibid.*, p. 90.

[3] "Il faut toujours rappeler les hommes à l'histoire qui est le premier maître en politique, ou pour mieux dire, le seul. . . .

"Si un être d'un ordre supérieur entreprenait l'histoire naturelle de l'homme, certainement c'est dans l'histoire des faits qu'il chercherait ses instructions. Quand il saurait ce que l'homme est, et ce qu'il a toujours été, ce qu'il fait et ce qu'il a toujours fait, il écrirait; et sans doute, il repousserait comme une

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history and an historical and national spirit that, for a certainty, has no Herder in its background!

Let us look upon the situation in terms of work-a-day life. The appeal to Reason, let us say, has started a conflagration which we do not happen to like; and therefore we are fighting it — as we believe — to save society. Society as we know it seems indeed at stake, and must be defended, irrational as it may be, from the devastating attack leveled upon it. It is an intellectual battle. One attitude is combated by appealing to another, certain approaches by using a different approach. If it is the invocation of Reason we are fighting, are we to appeal to lack of Reason? We want to exempt society from rationalistic critique, yet we are so unfortunately made that Reason has to be the very instrument of our discussion and the medium of our understanding. The situation, therefore, calls for a rational defense of irrationalism. Should we appeal to history and point out that social life has always been irrational, our adversaries will agree. That is precisely why they solicit Reason to sweep aside the humbug and superstition, the oppression and injustice of the past, all for the sake of perfecting us on the most rational lines!

Obviously, a naïve appeal to history, in spite of all its strength, does not meet the exigency. It is useless to depend upon our heritage when this very heritage is questioned and condemned. The situation therefore indicates the need for another concept of history, one that would make the present depend upon the past quite independent of our will, that would free us from the fear of rationalistic attacks, a concept that

folie, l'idée que l'homme n'est pas ce qu'il doit être et que son état est contraire aux lois de la création. L'énoncé seul de cette proposition la réfute suffisament.

"L'histoire est la politique expérimentale, c'est à dire la seule bonne; et comme, dans la physique, cent volumes de théories speculatives disparaissent devant une seule expérience, de même, dans la science politique, nul système ne peut être admis s'il n'est pas le corollaire plus ou moins probable de faits bien attestés.

"Si l'on demande quel est le gouvernement le plus naturel à l'homme, l'histoire est là qui répond: C'est la monarchie." J. de Maistre, *Étude sur la souveraineté* (written in 1794-96 but not published; parts were incorporated in other writings later on, in *Oeuvres complètes*, vol. I, p. 426).

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would make out of history a process that could be grasped and appreciated by our mind but not interfered with by our reason. We desire to escape and to counter-attack. We seek a solution of the problem suggested by existing conditions and circumstances. It was written:

> Ask, and it shall be given you; seek, and ye shall find; knock, and it shall be open unto you: For every one that asketh receiveth; and he that seeketh findeth; and to him that knocketh it shall be opened.

This is in more senses than one the Gospel truth—but it usually happens that we ask for what we need, seek for what we desire, and knock only at the door we want opened to us. Our choice is determined by our volition, and when it is a social or collective volition, it is presumably a general situation that suggests our particular general volition.

Indicating the general direction, it does not, however, determine the individual formulation and variation. That is why we find in the Romantic period, among all the great writers who appealed to an historical process, such an appreciable difference among individuals that there is a decided tendency to differentiate between them and, in fact, to consider Hegel as a man apart from the Romantic school. Our calling a number of contemporaries by the name of one school, our dealing with a number of writers as part of the same intellectual movement, or our differentiating between them, is like all our classifications, a matter of approach and of choice. Nor are the choices and approaches in such a case mutually exclusive. We may want to emphasize what the entire group has in common, what intellectual slant characterizes the entire period, or may want to stress the individual and particular variation that this or that thinker represents. Under the circumstances, it might be still more serviceable to consider what they all have in common and where they differ. The disputes about the inclusion or exclusion of Hegel among the Romanticists amount to an argument over classification.

The same is true about the rôle of leadership assigned to Hegel in the formulation of the new historical attitude. Georg

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von Below and many other writers look upon Historicism as affected by two parallel intellectual forces—Hegel and the Romanticists.[1] There is no quarrel with this statement except that everything that is not Hegel is put under the name of the Romanticists. We can, however, differentiate and treat every Romanticist as an individual, and conversely, we can identify Hegel with that group—perhaps as the towering culmination of it. Of course, there is a tendency to treat nonentities, whose minds run in certain grooves, as botega, maniera, scuola—in short, as a group of followers—while outstanding minds are considered as altogether too isolated mountain peaks. But a mountain peak may quite legitimately be regarded as belonging to a mountain, the mountain to a mountain range. Besides, the men of the early German Romantic period were hardly nonentities, but distinguished minds to be viewed, perhaps, as forming the same mountain range, if not indeed the same mountain.

What we are interested in here is the triumph of Historicism in the nineteenth century, how it came about and what approaches it used, to what it aspired and what it actually accomplished. Viewing Historicism in its social and political context, as a struggle against the Rationalism of Enlightenment and Revolution, we find in Hegel admittedly the same stimulus and the same political passion that characterized his contemporaries and his immediate predecessors. Where he differed from others was that he was a giant conscious of his strength, and hence the most audacious and powerful thinker. Where he further differed from others was that, although he was a German philosopher and wrote in most atrocious German prose, he was one of the greatest poets that ever walked on the face of the earth. His system of philosophy remains perhaps the greatest poem about God and man and the world that a mortal has ever written. Schelling, in the aestheticizing manner of his day, conceived the world and its history as a poem of God—but it was Hegel who wrote the poem!

[1] Details and literature in Georg von Below, *Die deutsche Geschichtsschreibung von den Befreiungskriegen bis zu unseren Tagen* (second edition, München, 1924), pp. 29-37.

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Hegel, however, was also by training and profession a logician, and the problem of his day he attacked as a systematic philosopher. Of his motivation he makes no secret. He tells us that his new concept of logic was caused by the interests of religion, of the state, of the legal order, and of morality. In the past, ways of thinking had undermined all the higher social relationships. The organization of the state became the victim of thought, religion was attacked, and religious concepts, which had been regarded as revelations, lost their power. Such was, for instance, the destructive influence of the Greek philosophers upon the religion of their people. . The Greeks killed or exiled their philosophers who undermined the state by attacking religion. Thinking had therefore had frightful effects, and the attention of mankind should rightfully be directed to the power thought exercises.[1]

He used Greece and the Greek philosophers as an example, but Hegel and his contemporaries were of course primarily concerned with the Enlightenment and its appeal to Reason. It was a practical situation that was driving Hegel to a com-

[1] "Das Bedürfniss die Logik in einem tieferen Sinne als dem der Wissenschaft des blos formellen Denkens zu erfassen, ist veranlasst durch Interesse der Religion, des Staats, des Rechts und der Sittlichkeit. Man hat früher beim Denken nichts Arges gehabt, frisch vom Kopfe weg gedacht. Man dachte über Gott, Natur und Staat und hatte die Ueberzeugung, nur durch Gedanken komme man dazu, zu erkennen, was die Wahrheit sei, nicht durch die Sinne, oder durch ein zufälliges Vorstellen und Meinen. Indem man so fort dachte, ergab es sich aber, dass die höchsten Verhältnisse im Leben dadurch kompromittirt wurden. Durch das Denken war dem Positiven seine Macht genommen. Staatsverfassungen fielen dem Gedanken zum Opfer, die Religion ist von Gedanken angegriffen, feste religiose Vorstellungen, die schlechthin als Offenbarungen gelten, sind untergraben worden und der alte Glaube wurde in vielen Gemütern umgestürzt. So stellten sich z. b. die griechischen Philosophen der alten Religion entgegen und vernichteten die Vorstellungen derselben. Daher wurden Philosophen verbannt und getödtet wegen Umsturzes der Religion und des Staats, welche beide wesentlich zusammenhingen. So machte sich das Denken in der Wirklichkeit geltend und übte die ungeheurste Wirksamkeit. Dadurch wurde man aufmerksam auf diese Macht des Denkens, fing an seine Ansprüche näher zu untersuchen und wollte gefunden haben, dass es sich zu viel anmaasse und nicht zu leisten vermöge, was es unternommen. Anstaat des Wesen Gottes, der Natur und des Geistes, überhaupt anstaat die Wahrheit zu erkennen, habe dasselbe den Staat und die Religion umgestürzt." Hegel, *Werke*, vol. VI, Sec. 19, Zusatz 3, pp. 33-34.

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plete reorganization of thinking, for Enlightenment led to Revolution, and Revolution to a resolution of the French National Convention on November 19, 1792, "qu'il accordera fraternité et secours à tous les peuples qui voudront leur liberté, et charge le pouvoir exécutif de donner au généraux les ordres nécessaires pour porter secours à ces peuples". Liberal Germans were quite enthusiastic not only over the Revolution, but also over Napoleon.[1]

[1] The Revolution was not only a "foreign" enemy. It is difficult to estimate to what extent the German "intelligentsia" were at the start fascinated by the Revolution and later on by Napoleon. Take, for instance, the famous Caroline who had the misfortune to be married, on and off, to two German philosophers, Friedrich Schlegel and Schelling. In October 1799 she writes to her daughter Augusta: "Buonaparte ist in Paris. O, Kind, bedenke, es geht alles wieder gut. Die Russen sind aus der Schweiz vertrieben—die Russen und Engländer müssen in Holland schmälich capitulieren, die Franzosen dringen in Schwaben vor. Und nun kommt der Buonaparte noch. Freue Dich ja doch, sonst glaube ich dass Du bloss tändelst und keine gescheite Gedanken hegst." *Carolinens Leben in ihren Briefen* (Eingeleitet von Richarda Huch, Leipzig, 1914), p. 187. Later on when Napoleon and his troops made themselves quite at home in Germany, Caroline is still full of admiration for Napoleon, the King of Kings, though she expresses the inner hope that the Lord of Hosts may break the neck of the King of Kings. In a letter written a year later she accepts Napoleon as "the Fate". That must have been quite a popular phrase at the time, for Hegel referred to Napoleon about the same time as the Fate on Horseback: "Was nun das Schlimmste ist, so bekommen wir jetzt noch Französische Truppen im Land, und die Kaiserlichen werden wieder weichen, denn dieser Napoleon weidet mit scharfen Zähnen ein Land nach dem anderen ab und wirft sie dann erst den beschützten Regenten zu, er der König der Könige, den der Herr aller Herren doch gnädigst bald den Hals brechen möge." (*ibid.*, p. 392.) That was written in March 1806. In August 1807, after the peace of Tilsit, she wrote: "Um den Durchzug Napoleons habe ich euch nicht sehr beneidet, ob mir schon zu weilen der Wunsch kommt ihn doch auch einmal zu sehen, um ihn lieber zu gewinnen. Jedermann sagt, dass sein Anblick etwas versöhnendes habe. Für mich ist er immer doch das personnificierte Schicksal gewesen, das ich nicht hasse und nicht liebe, sondern abwarte, wohin es die Welt führt." (*ibid.*, pp. 419-20.)

The situation was complicated by the Prussian traits that greatly helped the popularity of the French in Germany. The actions of the Prussian command were such that Hegel himself, while in Jena, was not brokenhearted over Napoleon's victory. He writes after the battle: "Wäre die Französische Armee zurückgeschlagen worden, so hatte ganz Jena einmütig mit dem Stecken in der Hand, und die Kinder, was Kinder hat, an und auf dem Arme, auswandern müssen. So hat sich kein Mensch den Krieg vorgestellt, wie wir ihn gesehen!" Quoted in Max Lenz, *Geschichte der Königlichen Friedrich-Wilhelms-Universität zu Berlin* (Halle, 1910), vol. II, p. 193.

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We have seen how other philosophers besides Hegel and before him carried on their politico-philosophical struggle against Enlightenment. It is quite certain that they laid the groundwork on which Hegel's system arose, but the boldness of the stroke and the systematic character of the achievement were certainly Hegel's.[1] Hegel puts an end to all rationalistic critique, to all the aims and presumptions of Enlightenment, to all pretensions of understanding, by his philosophical approach, which postulates the understanding of the whole supernal as a prerequisite of any understanding of anything in particular. Hegel offers us the contemplation of a rhythm of universal relationships and a new logic of their movements. We cannot understand one particular thing of one particular moment; for what are essential to a thing are its ties to the past, its direction as well as its relationship to totality.[2] We try to understand parts; while totality is the very negation of the part.[3] Everything that exists exists in relationship to

[1] In this connection there are some amusing remarks on the subject in Heine's account of a meeting with Schelling in Munich: "I once saw him there, and his mournful aspect almost drew tears from me. But his words were even more melancholy than his looks, for they were full of envious abuse of Hegel who had supplanted him. Just as one cobbler speaks of another whom he accuses of stealing his leather and making boots of it, in like manner I once heard Schelling, at a casual meeting, inveigh against Hegel, against that Hegel who 'had taken his ideas'. The poor man's constant refrain was: 'He has taken my ideas, he has taken my ideas'. . . . Nothing is more ridiculous than the attempted reclamation of proprietary rights in ideas. It is true, Hegel in his system of philosophy made use of many of Schelling's ideas, but Schelling would never have known to what use to put those ideas." Heine, H., *The Romantic School* (New York, 1882), p. 120.

[2] "Das Einzelne sein ist irgend eine Seite der Idee: für dieses bedarf es daher noch anderen Wirklichkeiten, die gleichfalls als besonders für sich bestehende erscheinen; in ihnen zusammen und in ihrer Beziehung ist allein der Begriff realisiert. Das Einzelne für sich entspricht seinen Begriffe nicht; diese Beschränktheit seines Daseins macht seine Endlichkeit und seinen Untergang aus." Hegel, *Encyklopädie* (Lasson edition), Sec. 213, p. 190.

[3] "Das unmittelbare Verhältniss ist das des Ganzen und der Teile: der Inhalt ist das Ganze und besteht aus den Teilen (der Form), dem Gegenteile seiner. Die Teile sind voneinander verschieden und sind das Selbständige. Sie sind aber nur Teile in ihrer identischen Beziehung aufeinander, oder insofern sie zusammengenommen das Ganze ausmachen. Aber das Zusammen ist das Gegenteil und Negation des Teiles." *Ibid.*, Sec. 135, p. 141.

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things, and these relationships constitute the truth of existence. What exists cannot be considered abstractly by itself, but only in something else with which it is in relation.[1] The attempt to understand one particular thing in a particular state is to Hegel a puerile undertaking. For to Hegel things are continually *becoming,* i.e., undergoing transformation, entering into new relationships, etc. To Hegel, therefore, the "whole truth" of anything must be the "truth of the whole". *"Das Wahre iste das Ganze".*[2] Hence, no criticism can be valid unless it seeks truth in a process or development and goes beyond itself. For, so Hegel continues, *"das Ganze aber ist nur das durch seine Entwicklung sich vollendende Wesen."*[3]

We see here from the start the unfolding of a great vision of an historico-developmental philosophy. Its real grandeur, however, is in its universal synthesis which makes out of that development a theodicy, a life history of the Idea, which is both object and subject of cognition.

There is in the Romantic Period an element that perhaps deserves some attention on the part of those who try to understand the ways and the linguistic means of Hegel's system. There was a challenge to the ordinary limitation imposed by words and concepts, a tendency to play with affirmation and negation, and a dialectic pleasure in wiping out their distinction. Take, for instance, Novalis. He creates identities and antitheses by dealing with words quite promiscuously. He will tell you that he believes in the Bible, but any genuine book is a Bible; he believes in genius, but any man has genius; he believes in the ancient civilization, but ancient civilization is wherever there is *genuine* spirit; he is a royalist, but all men should become *"thronfähig"*, etc. In short, in Novalis you

[1] "Das wesentliche Verhältniss ist die bestimmte, ganz allgemeine Weise des Erscheinens. Alles was existirt, steht im Verhältniss und dies Verhältniss ist das Wahrhafte jeder Existenz. Das Existirende ist dadurch nicht abstrakt für sich, sondern nur in einem Andern, oder in diesem Anderen ist es die Beziehung auf sich und die Beziehung auf Anderen." Hegel, *Werke,* vol. VI, p. 267.

[2] Hegel, *Phänomenologie* (Berlin, 1932), p. 16; Lasson edition (3rd ed., 1923), p. 21.

[3] *Ibid.*

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can see a mystifying use of words identifying opposite concepts.[1]

If you turn from Novalis to Hegel you will find much the same thing. Reason (*Vernunft*) is the Idea. The Idea is the Subject and Object, it is the Ideal and Real, the Finite and the Infinite, etc.[2] We are here, indeed, witnessing the creation of a new world, Hegel's creation. For before there was the *Word* there was Chaos, and out of the Chaos a world emerges by the word "Process", and this process is identical with the Idea, which is identical with Reason. Thus the Idea whirls through time in a dialectic process, and this dialectic process is both the historical reality and its cognition.[3] Here is a magnificent structure of Historicism of such dramatic

[1] "Die substanzlosen Formen lassen sich zu jedem Inhalt in Beziehung setzen; in der romantischen Anarchie kann jeder sich seine Welt gestalten und jedes Wort zum Gefäss unendlicher Möglichkeiten machen. Wenn Novalis davon spricht, dass er an die Gestalten von Brot und Wein glaube, so sollte man ihm keinen anderen Glauben entgegenbringen, als den, den er selbst hat: er meint nämlich, dass alles Brot und Wein sein kann. Er glaubt an die Bibel, aber jedes echtes Buch ist eine Bibel, an das Genie, aber jeder Mensch ist ein Genie, an den Deutschen, aber Deutsche gibt es überall, die Deutschheit ist für ihn, trotz des historischen Empfindens der Romantik nicht auf Staat und Rasse beschränkt; er rühmt die Antike, aber Antike ist überall, wo echter Geist ist; er bekennt sich als Royalisten und Monarchisten, aber 'alle Menschen sollen Thronfähig werden.' Wurde diese allgemeine Auflösung, diese mystische und magische Identität, in ihrer eignen Sphäre verbleiben, so wäre sie in der Geschlossenheit ihres Kreises unwiderleglich. Sie vermischte sich aber beliebig und willkürlich mit der Welt der gewöhnlichen Realität. In einer allgemeinen Vertauschung und Vermengung der Begriffe, einer ungeheuerlichen Promiskuität der Worte, wurde alles erklärlich und unerklärlich, identisch und gegensätzlich, und konnte allem alles unterschoben werden. Dr. Carl Schmitt-Dorotič, *Politische Romantik* (München, 1919), pp. 72-73.

[2] "Die Idee kann als die Vernunft (dies ist die eigentlich Bedeutung für Vernunft), ferner als das Subjekt-Objekt, als die Einheit des Ideellen und Reellen, des Endlichen und Undendlichen, der Seele und des Leibes, als die Möglichkeit, die ihre Wirklichkeit an ihr selbst hat, als das, dessen Natur nur als existierend begriffen werden kann, u. s. f. gefasst werden; weil in ihr alle Verhältnisse des Verstandes, aber in ihren unendlichen Rückkehr und Identität in sich, enthalten sind." Hegel, *Encyklopädie* (Lasson edition), Sec. 214, p. 191.

[3] "Die Idee ist wesentlich Process, weil ihre Identität nur insofern die absolute und freie des Begriffs ist, insofern sie die absolute Negativität und daher dialektisch ist." Hegel, *Encyklopädie* (Lasson edition), Sec. 215, p. 193; *Werke*, vol. VI, p. 390.

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beauty that we are at a loss to point out where else one may find so tremendous a conception of the united development of the world and God and man, moving in their prescribed orbits and following out their unknown destiny. Hegel's philosophy is, of course, of no concern to us here, for only as one of the creators of modern Historicism is he of importance to us. But even in this limited sphere he shares his significance and influence with men of his period—the Romanticists.

Process, development—these words are familiar to us, for the historical approach has become the prevailing approach not only in study of society and its organization, but also in our study of language, of art, of religion and of philosophy. Indeed, we are historians when we are dealing with geology and biology. It is because of our modern historical orientation, that there is danger in misunderstanding the peculiar character of the Historicism of a Hegel, a Schelling, the rudiments of which are in Fichte. They are historians of fate, philosophers of destiny. What Hegel is teaching us are the working processes of destiny. For do not let us be particular about words and concepts—Hegel never was. Destiny, Fate, Reason, Idea, the World Spirit, the Absolute, the curious Hegelian *Begriff,* indeed God, are all the same. The constant merging of concepts of all kinds, indeed the uniting of obvious opposites [1] was often very troublesome to the student of Hegel. Heine tells us that the study of Hegel affected even the health of the Devil:

Blass ist er etwas, doch ist es kein Wunder
Sanscrit und Hegel studiert er jetzunder.

[1] The speculations of the Hegelians caused even Karl Rosenkranz, Hegel's "official" biographer and apologist, to burst into verses, in which there was decidedly more truth than poetry:

"Ueberall klingt jetzt der Taktschlag: eins, zwei, drei in unsere Ohren,
Und man ist in's Übergehen bis zum Untergehen verloren,
Alles taumelt durcheinander: Anfang, Fortgang, Mitte, Ende.
Pseudodialektisch wandelt eins in's andere sich behende.
Einheit wird zum Unterschiede; aus dem Unterschied wird Einheit,
Positiv wird negativ selbst durch die Taschenspielerfeinheit.
Was sub A ich bei dem einem treffe, is beim andrn B,
Was abstract hier, heisst concret dort, darum rufe ich, Weh' Euch Weh'!"

Karl Rosenkranz, *Das Centum der Speculation* (Königsberg, Gebrüder Borntträger, 1840), p. 17.

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Yet in Hegel this merging of concepts, although facilitated by a contemporary tendency,[1] had possibly a deeper source. Are not all opposites but different aspects of the workings of the same Idea? Are not all both forthcoming from, and merging in, the same spirit, who reveals himself in his works, who is conscious in our consciousness, who contemplates himself in our contemplation, and acts through our actions, and who is One, though called by many names? Therefore, even under different aspects all the tumult, strife, and action, is but "*ewige Ruhe in Gott dem Herrn*".

The actual process of the realization of the Idea proceeds by the mingling of thoughts and notions with immediate and particular purposes suggested by their setting. This process is produced by thoughts as well as circumstances, by human actions in their capacity of means. These means often seem opposed to the Idea, but that does not matter, for the ends are in reality only means to bring forth the Idea, which is the absolute power.[2] Hegel emphasizes the cunning of Reason,

[1] Georg Weber published under a curious title a very learned book in the form of a rather clumsy satire. We quote a passage of his, leaving out his innumerable quotations, in which he conscientiously documents actually every word of this particular passage. The references are mostly to the works of Schelling. The title of this strange book, of which there is a copy in the University of Syracuse Library, is *Hochwichtige Beiträge zur Geschichte der neuesten Literatur in Deutschland* Herausgegeben von Antibarbaro Labienus, Dritte Ausgabe, St. Gallen, 1830, vol. I, pp. 216-217.

"Die Klarheit der Begriffe, allein möglich durch Differenz, durch Unterscheidung, versank in der absoluten Dunkelheit der Identität. Seyn und Nichtseyn, Möglichkeit und Wirklichkeit, Unendliches und Endliches, Denken und Anschauen, Begriffe der nicht existirenden Dinge und Begriffe der existirenden, Ideelles und Reelles, Wesen und Form, Denken und Seyn, reines und empirisches Bewusstseyn, Ich und Nicht—Ich, Allgemeines und Besonderes, Subjectives und Objectives, Seele und Leib, Seele, Welt, Gott, Stoff und Form, Thätigkeit und Seyn, Erkennen und Seyn, Schwere und Anschauung, Zeit und Raum, Thätigkeit und Ruhe, bestimmbare und bestimmende Natur, Wollen und Denken, Schönheit und Wahrheit, Philosophie und Poesie, Denken und Ausdehnung, Quantität und Qualität, Bewusstes und Bewusstloses, Gesetzmässigkeit und Freyheit — alles diess war Eines, alles diess war im Absoluten zusammenknüpft."

[2] "In der Geschichte soll die Idee vollbracht werden; Gott regiert die Welt, die Idee ist die absolute Macht, die sich hervorbringt. Die Geschichte ist die Idee, die sich auf natürliche Weise vollbringt, nicht mit dem Bewusstein der Idee—freilich mit Gedanken, aber mit bestimmten Zwecken, Umständen. Es

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"die List der Vernunft". In the *Zusatz* to Section 209 of the *Encyklopädie* he tells us that Reason is as cunning as it is powerful. Its cunning consists in permitting the objects to follow their own bent and act upon each other, without directly interfering in the process, and yet the workings of all these seemingly free forces actually execute the aims of Reason.

> Divine Providence may be said to stand to the world and its process in the capacity of absolute cunning. God lets men direct their particular passions and interests as they please; but the result is the accomplishment not of their plans but of His, and these differ from the ends sought by those that He employs.[1]

From this there follows the conclusion that it is absurd to criticize our history rationalistically, for it means the criticism or condemnation of the aims and activities of God himself! Everything that *was* and everything that *is*, because it actually

wird nach allgemeinen Gedanken des Rechts, Sittlichen, Gottgefälligen, gehandelt; die Idee wird so verwirklicht, aber durch Vermischung von Gedanken, Begriffen mit unmittelbaren partikulären Zwecken. Das muss auch sein; die Idee ist einer Seits durch den Gedanken produciert, dann durch die Mittel der Handelnden. Die Idee kommt zu Stande in der Welt, da hat es keine Noth; es ist nicht nöthig, dass die Regierenden die Idee haben. Die Mittel scheinen oft der Idee entgegengesetzt zu sein, das schadet nichts; Man muss wissen was Handeln ist; Handeln ist Treiben des Subjekts als solchen für besondere Zwecke. Alle diese Zwecke sind nur Mittel die Idee hervorzubringen, weil sie die absolute Macht ist." This remarkable passage is in the *Vorlesungen über die Geschichte der Philosophie* in the section on Plato. It is as yet not published in Lasson's edition. This quotation is from the original edition of the *Werke*, vol. XIV (1833), p. 193. This text is slightly changed in a subsequent edition of the *Vorlesungen*.

[1] This quotation follows the Wallace translation. The text in the original reads: "Die Vernunft is eben so listig als mächtig. Die List besteht überhaupt in der vermittelnder Thätigkeit, welche, indem sie die Objecte ihrer eigenen Natur gemäss auf einander einwirken und sich an einander abarbeiten lässt, ohne sich unmittelbar in diesem Process einzumischen, gleichwohl nur ihren Zweck zur Ausführung bringt. Man kann in diesem Sinne sagen, dass die göttliche Vorsehung der Welt und ihrem Process gegenüber, sich als die absolute List verhält. Gott lässt die Menschen mit ihren besonderen Leidenschaften und Interessen gewähren, und was dadurch zu Stande kömmt, das ist die Vollführung seiner Absichten, welche ein anderes sind, als dasjenige, um was es denjenigen, deren er sich dabei bedient, zunächst zu thun war." Hegel, *Werke*, vol. VI, p. 382.

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was or is *real,* has an *ideal* significance, rôle and purpose. That is why it is *reasonable*—reasonable in the sense of *Vernunft,* the Idea, which produced it and which is realizing itself in what was and is, in the historical process of existential reality. *All* reality is the Idea; an isolated part of the existential reality is but an isolated side of the Idea and does not, as such, give the concept of truth which only the relationships of parts within the totality can give us.[1] The task, therefore, of any scientific and philosophic knowledge is indicated by the nature of the Idea. Scientifically to understand anything existential we must look upon it as necessary and as an incarnation of Reason. To understand anything as reasonable is to see it as in a process of development, for that is how Reason or the Idea or the *Begriff,* in short—the Absolute, realizes itself.[2]

Hegel shared with his romantic contemporaries the attitude of seeming political passivity and political traditionalism. As a matter of fact, his apparent passivity and his historicism were very real weapons against the reforming attitude of Rationalism, Enlightenment and Revolution. That is why his philosophy — until his followers like David Strauss and others made radical use of it in the study of religion and later in politics—became the official doctrine in Prussian universities. Thus Treitschke, who had access to the secret state archives of Prussia, informs us that the Secretary of Education, Allenstein, wrote to the King: "In the Prussian State a solidly founded philosophical system has now put an end to arrogant and deplorable doings. The ministry can not extend its aegis over any other philosophy. . ." [3] It is interesting to note how pragmatic the Prussian Secretary of Education was. What-

[1] Very important in this connection is Sec. 213 of the *Encyklopädie.* Hegel, *Werke,* vol. VI, p. 385; Lasson edition, p. 190.

[2] Schmitt-Dorotič has written an interesting chapter on "Die occasionalistische Struktur der Romantik", *op. cit.,* pp. 74-108. Of course there is a long distance between Malebranche and Hegel. To assume a relationship is not justified, but the entire chapter is rich in thoughtful appreciation of the Romantic attitude.

[3] Treitschke, *History of Germany in the 19th Century* (English translation), vol. V, p. 590.

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ever aim a political philosophy may pursue, it is the Department of Education that will decide whether that system can serve as a means to governmental ends. But unfortunately it was not Allenstein alone who was so pragmatic. Hegel was only too keen to serve the ends of the Prussian government. It is this relationship that cast a fatal shadow on Hegel's philosophy as an intellectual system. Political motivation signalized the start, indicated the direction, marred the course, and determined the end of this great system of philosophy. Hegel's none too estimable character stood in the way of Hegel the great thinker. In his history of the University of Berlin, referring to Hegel's early relations with Schelling, who so suddenly became the philosopher *à la mode,* Max Lenz uses the phrase, "*fast wie ein Diener schaut er zu Schelling auf*".[1] It is possible that this phrase fits Hegel better than Lenz ever intended it. There was in Hegel a streak of subservience to the powers that be, a servility that limited his services to mankind.[2]

That is why Hegel insists that a philosophical system should not undertake to teach what a state *should* be, but how the state, this "moral universe", should be understood. Not what should be, but what *is* must be grasped, because what *is,* is Reason.[3] It is in this connection that he points out that all that philosophy can do is to express the development that has already taken place. This is true, because only *post facto* do

[1] Lenz, *op. cit.*, vol. I, p. 189.

[2] "In diesem Glück, Glanz, Einfluss und Ruhm barg sich am meisten die *zerstörende Macht,* welche seiner Geistesarbeit den Stempel der Vergänglichkeit aufdrückt. Dieser überweltliche und doch so weltlich gesinnte Idealismus wurzelte sich völlig in der Zeitlichkeit und Wirklichkeit fest, um mit dieser zugleich zu gedeihen und zu verwelken. Er wurde zur *Zeitphilosophie* und zur preussischen Philosophie." R. Haym, *Hegel und seine Zeit* (Berlin, 1857), p. 357.

[3] Als philosophische Schrift muss sie am entferntesten davon sein, einen Staat, wie er sein soll, konstruieren zu sollen; die Belehrung, die in ihr liegen kann, kann nicht darauf gehen, den Staat zu belehren, wie er sein soll sondern vielmehr, wie er, das sittliche Universum, erkannt werden soll.

Hic Rhodus, hic saltus.

Das was ist zu begreifen, ist die Aufgabe der Philosophie, denn das, was ist, ist die Vernunft." *Philosophie des Rechts* (Lasson ed.), p. 15; *Werke,* vol. VIII, pp. 18-19.

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we become conscious of the development which has already taken place; only after the day is over does the owl of Minerva begin her flight.[1] History is the history of the State. It is the way of God that the State exists.[2] And whether men know it or not, Reason is realized in the State as a self-conscious and autonomous power.

Hegel was stacking his philosophical cards, playing with his concepts, interchanging the existential and ideal with amazing skill. But his zeal as the official Prussian *Restaurations Philosoph* showed itself not only in persecuting any philosopher who was persecuted by the government,[3] but also in undermining his own structure with inconsistencies and contradictions. Witness his remarks about man-made constitutions, to which he refers in his history of philosophy. Constitutions which govern states are obviously realities, but not so to Hegel. He tells us that any man can write such constitutions, but *real* constitutions are not made by individuals: *"es ist ein Göttliches, Geistiges, was sich durch Geschichte macht."*[4] Constitutions, like all institutions, are "real" and reasonable only if they are products of a long historical process, and, curiously enough, this historical process, so far as state constitutions are concerned, seems to have suspended its dialectic motion. Hegel will not let us see constitutions legitimately flopping into their opposites. In the dialectic process, the finite, the negation, the opposite, the contradiction, the antithesis plays the major rôle—affecting not only thinking processes but all existence. Clearly any given constitution of a state is something finite. In his logic, Hegel teaches us that things finite not only change, but perish. They carry the

[1] *Idem* (Lasson ed.), p. 17; *Werke*, vol. VIII, pp. 20-21.

[2] "Es ist der Gang Gottes in der Welt dass der Staat ist; sein Grund ist die Gewalt der sich als Wille verwirklichenden Vernunft." Zusatz to Sec. 258 in the *Philosophie des Rechts* (Lasson ed.), p. 349; *Werke*, vol. VIII, p. 320.

[3] We refer to Hegel's vile attack on Fries in the "Vorrede" to his *Philosophie des Rechts*, in his *Werke*, vol. VIII, p. 11, and especially p. 14.

[4] Hegel goes on: "Es ist so stark, dass der Gedanke des Individuums gegen diese Macht des Weltgeistes nichts bedenkt; und wenn diese Gedanken etwas bedeuten, realisiert werden können: so sind sie nichts anderes, als Produkt dieser Macht des Allgemeinen Geistes." *Werke*, vol. XIV, p. 177.

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germ of death in their very birth.[1] There is, in finite things, the impulse to overcome their limitations (*Schranke*), as for instance hunger and thirst have the impulse to overcome their limitations. He gives us examples even from the realm of unconscious nature; he makes chemical processes testify to the "truth" of his conception; he causes stones to cry aloud, and the flowers that bloom in the spring crown the dialectic glory.[2] The examples from inanimate nature are not impressive, but they show the universality of the dialectic antithetic process. Moreover, his logic sees in the antithesis the negation—the driving force of constant development.[3] This driving force that moves and affects all that exists must be the principle of all scientific insight and development.[4] And the entire substance of the dialectic is in Hegel's own phraseology: "*Alles Endliche is dies, sich selbst aufzuheben.*" [5]

One could continue *ad infinitum* with examples and quotations, but they are unnecessary. We would, however, have to go to Marx, Engels and Lenin, to find Hegelian dialectics applied to the State and its constitutional development. Hegel legitimatizes political development by *Sittlichkeit,* morality. But Hegel's criterion of morality is that of the *mores,* the maintained attitude of the common people at the point of their maximum relative inertia. The Universal Spirit, which is so dialectically brisk elsewhere, seems to be quiescent in its capacity as *Volksgeist.*

[1] "Das endliche verändert sich nicht nur, wie Etwas überhaupt, sondern *es vergeht,* und es ist nicht nur möglich, dass es vergeht, so dass es seyn könnte, ohne zu vergehen. Sondern das Seyn der endlichen Dinge als solches ist, den Keim des Vergehens als ihr Insichseyn zu haben, die Stunde ihrer Geburt ist die Stunde ihres Todes." *Werke,* vol. III, pp. 137-138.

[2] *Ibid.,* p. 144, and still better in his *Phänomenologie; Werke,* vol. II, p. 4.

[3] "Die Ansicht . . . enthält den tiefern Gedanken dass im Negativen überhaupt der Grund des Werdens, der Unruhe der Selbstbewegung liegt." *Werke,* vol. III, p. 186. See also vol. IV, pp. 68-69; vol. V, pp. 276-277.

[4] "Das Dialektische macht daher die bewegende Seele des wissenschaftlichen Fortgehens aus." *Encyklopädie,* Sec. 81; *Werke,* vol. VI, p. 152.

[5] Read also Zusatz I to Sec. 81: "Das Dialektische gehörig aufzufassen und zu erkennen, ist von höchster Wichtigkeit. Es ist dasselbe überhaupt das Princip aller Bewegung, alles Lebens und aller Bethätigkeit in der Wirklichkeit. Eben so ist das Dialektische auch die Seele alles wahrhaft wissenschaftlichen Erkennens." *Encyklopädie,* Sec. 81; *Werke,* vol. VI, p. 152.

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In the social order we deal with a systematic network of special relationships. What determines that network? Hegel's answer is that the totality of our past history and the spirit of the people determine our *Sittlichkeit.* The *Weltgeist* and the *Volksgeist,* which is but a partial expression of the *Weltgeist,* live in our *Sittlichkeit;* and it is only in and through *Sittlichkeit* that the individual can exist and live. As soon as an individual tries to tear himself away from the *Sittlichkeit* that nurtured him, he becomes not a free individual, but no individual at all. He has no more reality than a point which is not on a line. He is a difficulty, a negative existence.

As the *mores* represent the spirit of the people, so do their laws, their institutions and their constitutions. The only authority that can give a people a constitution, is the authority that can make the *Volksgeist.* It is only history that can make a constitution.[1] The same principle is reiterated in the philosophy of law. Here the *Volksgeist* is identified with the State.[2] Law, institutions, constitutions, all are therefore derived from the *Volksgeist.* Though Hegel sees in the *Volksgeist* something divine, it must be remembered that everything that *is* in Hegel's system can be called divine. The mystic *Volksgeist* and *Sittlichkeit* are nothing but the prevailing customs, habits and conventions. The great philosopher has nothing better to tell us about wisdom and virtue, than that they consist in living according to the customs of

[1] "Die Frage, wem, welcher und wie organisierten Autorität die Gewalt zukomme, eine Verfassung zu machen, ist dieselbe mit der, *wer den Geist eines Volkes zu machen habe.* Trennt man die Vorstellung einer Verfassung von der des Geistes so, als ob dieser wohl existiere oder existiert habe, ohne eine Verfassung, die ihm gemäss ist, zu besitzen, so beweist solche Meinung nur *die Oberflächlichkeit des Gedankens über den Zusammenhang des Geistes, seines Bewusstseins über sich und seiner Wirklichkeit.*" *Encyklopädie* (Lasson edition), Sec. 540, p. 448. The italics are ours.

[2] "Da der Geist nur als das wirklich ist, als was er sich weiss, und der Staat, als Geist eines Volkes, zugleich das alle seine Verhältnisse durchdringende Gesetz, die Sitte und das Bewusstsein seiner Individuen ist, so hängt die Verfassung eines bestimmten Volkes überhaupt von der Weise und Bildung des Selbstbewusstseins desselben ab; in diesem liegt seine subjektive Freiheit, und damit die Wirklichkeit der Verfassung." *Werke,* vol. VIII, p. 300; Lasson edition, p. 221.

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one's own people.[1] Culture, laws, constitutions, institutions, have a meaning only if understood genetically as produced by the spirit of the people, as quietly emerging and slowly moving on their predestined course. While *de lege ferrenda* Hegel's system argued against "arbitrary", i.e. legislated constitutions, *de lege lata* it postulated a historico-genetic attitude. The influence that Hegel had on all cultural sciences and jurisprudence can hardly be assayed. Their method, the historico-genetic method axiomatically accepted, was the work of Hegel and the Romanticists.

If Hegel and the Romanticists must be regarded as responding to their political situation and as serving their own time, a corollary suggests itself, that in their original form they could not serve another generation in another political setting and with different aims. The Young Hegelians undertook a liberal reorganization of the Hegelian system, so far as religion and politics were concerned. Their political aims necessitated an entirely different concept of historical development. The youngsters brought up in the school of Hegel did not spend their time in apologetics either for the inherited political system or for traditional theology. Rather did they compete with each other in the field of devastating criticism. Yet they were Hegelians, after a fashion. Arnold Ruge in his *Hallische Jahrbücher* frankly stated that they were raising their hand against their philosophical teacher and father—Hegel—in so far as "*er seinem eigenem Principe durch Accomodation und Zurechtmacherei ungetreu wird.*"[2] As is the way of dissenting followers, they invoked Hegel against Hegel in their fight for political freedom.[3] Theoretically speaking, they were fighting against the quietism and traditionalism of Hegel; they did so by appealing to Hegel's dialectics. The conservatives interpreted the dialectic historically, emphasizing what Hegel himself emphasized: that the existential and factual is the

[1] "Die weisesten Männer des Altertums haben darum den Auspruch getan: dass die Weisheit und die Tugend darin bestehen den Sitten seines Volkes gemäss zu leben." *Phänomenologie* (2nd Lasson edition, Leipzig, 1921), p. 233.

[2] *Hallische Jahrbücher*, 1840, p. 418.

[3] See Ruge, "Die Hegelische Rechtsphilosophie und die Politik unserer Zeit", *Deutsche Jahrbücher*, 1842, pp. 755 *et seq.*

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real, and therefore inevitable and reasonable. The radicals appealed to the dialectic in a critical sense, pointing out that whatever exists in a particular time has only relative validity. They emphasized speedy and radical change as dialectically inevitable.

The political struggle of the Young Hegelians for reform or revolution was obviously an undertaking of the intelligentsia, i.e., of a small minority, of almost a handful of intellectuals. Consequently they could not appeal to the *Volksgeist,* rather were they forced to appeal to the creative power of the intellectual, the critic, the philosopher. Their political aims, as well as their numerical insignificance, indicated an historical approach diametrically opposed to that of Hegel—that of an heroic concept of history. Hegel's *Geist* no longer works in the masses, but in the spirit of the philosopher, the social and political critic, whose ideas mold the masses. The dead are to bury the dead; the living are called to action. *Vivos voco.* Philosophy is not "a realm of bloodless ashgrey shadows which have no relation to the world, rather is it the vital living movement itself." [1]

In Hegel's view of the philosopher's rôle the younger men saw but a reactionary effort to undermine philosophy and exclude it from an effective influence on the march of events. They considered it degrading that philosophy should merely justify what has already occurred. To Young Hegelians philosophical criticism and understanding was the most significant product of history, for it grasped the direction in which things were moving and directed the movement. So Echtmeyer writes: "Philosophy is not directed against history, but makes history." [2] According to Hegel the philosopher neither sows nor reaps—philosophy is an *ex post facto* rationalization; to the Young Hegelian the philosopher is the inspired leader of the masses.

Lest there be any doubt concerning the political aim of this philosophico-heroic concept of history, let us quote what Edgar Bauer had to say about philosophy:

[1] *Hallische Jahrbücher,* 1840, p. 1932.

[2] *Ibid.,* p. 765.

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> It storms forward and proves its power not in calm, reasoned refutation but in practical exercise of its force. Theory now calls entire peoples to its banner and permits *a handful of enthusiasts to conquer fearful, unthinking masses.* Theory now decides life and death and it does not rest until it has spread in all directions and overcome all its foes.[1]

It is the mission of the philosopher to lead in the world-changes, for he sits at the loom of time and knows when the situation is ripe. "For truth brings life into the world, but also a sword!"[2]

Bruno Bauer, author of the *Kritik der Evangelischen Geschichte der Synoptiker*—for which he was deprived of his university chair, and in whose defense the masses failed to exert themselves—has a very poor opinion of them, and his view of the *Volksgeist* is so different from Hegel's that it is worth noting. To him, life is a struggle between spirit and matter, between light and darkness. The masses represent mere matter. Even if the masses grasp ideas they vulgarize them, alter their meaning, use them for their own irrelevant or sordid purposes. The ideas of the critical philosopher must struggle against mass-inertia and distortion. All the significant deeds of history have been performed despite, not because of, the support of the masses:

> All great acts of previous history were doomed to failure or exerted no significant influence because the masses became interested in them and enthusiastic in their behalf; or they came to a miserable end because the Idea was of such a nature that it had to content itself with a superficial expression and consequently to depend upon the favor of the masses.[3]

The masses are the enemy of the spirit, the masses cannot even be trusted as an instrument of spirit, for the spirit opposes the shallow phrases and self-deception on which the masses live.[4]

[1] The italics are ours. *Deutsche Jahrbücher für Wissenschaft und Kunst,* 1842, p. 1187.

[2] Arnold Ruge in the *Deutsche Jahrbücher,* July, 1841, p. 2.

[3] *Allegemeine Literaturzeitung,* Heft I (December 1843), p. 2.

[4] *Ibid.*

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This extremely pessimistic view of the masses as refractory and treacherous material was not shared by Bruno Bauer's friends and contemporaries. For, in the main, these pupils of Hegel — such was the irony of the situation — were called upon to function as the publicists and philosophers of the *Aufklärung* which Hegel so hated. They turned Hegel's historicism into an heroic approach to history; otherwise the only use they had for the past was to inform the present that the past was dead.[1] They were primarily publicists, like the French eighteenth-century philosophers, and their purpose was to affect the political, religious and intellectual attitudes of the "masses", to enlighten them and thus effect their emancipation.

We have seen that the opposition to revolutionary Rationalism in France, as well as in Germany, appealed to an established historical order of things. We have seen that Hegel himself admitted that he introduced his dialectic logic for social and political reasons. We have seen also that the young Hegelians, for diametrically opposed political purposes, introduced the "critical" philosopher as the maker of history, as the reformer and reorganizer of political thought and political life.

It is interesting to observe what a limited selection of obvious patterns our social thought seems to display. The concept of the "critical" mind as the maker of history, the concept of the hero who perceives and then performs, became the prevailing pattern in Russia, under similar circumstances, and for several decades it was the popular social and historical approach.

> Säume nicht dich zu erdreisten
> Wenn die Menge zaudernd schweift;
> Alles kann der Edle leisten,
> Der versteht und rasch ergreift. (Goethe)

There is an element that is outside of the experience of the modern reader. In modern capitalistic democracies political

[1] "Die Philosophie macht Partie gegen die Vergangenheit, für die wahre Gegenwart, ohne darum der Vergangenheit ein anderes Unrecht anzuthun, als die Indiscretion ohne zu sagen, was sie ist, nämlich todt." Arnold Ruge in *Hallische Jahrbücher*, 1840, p. 418.

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programs and party politics do not operate with philosophies of history. It is therefore not so easy to assimilate the fact that under certain conditions and circumstances in the past philosophies of history *were* party programs. We have seen it in Germany; it was true also in Russia. The Russian Slavophils, the so-called *Zapadniki* (Westerners), the *Narodniki* (populists), the Marxists—these were political parties, but their programs were philosophies of history. Of interest to us here are the *Narodniki* and their heroic approach to history.[1]

The leading theorists were Lavroff and Mikhailovski, though Professor Kareef may also be classed with the group. The rôle of the critical mind was conceived by these Russians much as by the Young Hegelians. "Without criticism", writes Lavroff, "there is no development, without criticism there is no perfection, without criticism of one's environment man would never have progressed beyond the animal stage."[2] The rôle of the enlightened individual is that of the critic who disseminates enlightenment and culture and thus makes possible his own cultural existence. Lavroff's *Historical Letters* was motivated by conditions and aspirations similar to those which produced the post-Hegelian "critical thinkers"; it moves on the same lines and toward the same objectives, but fortunately it is free from Hegelian phrases and formulas and is written by a man of great ability. His attitude to the *Volksgeist* is interesting. If individuals do not think, and if their thought does not penetrate the masses, then the masses develop customs like species of animals. But the thinking, critical individual has the power to undermine and change the *Volksgeist*.[3] Hecker, the author of a scholarly work on Russian sociology, sums up Lavroff's ideas on the rôle of the individual: "Thus the critical reasoning individual may be a disintegrating force destroying existing social forms, initiating and organizing new

[1] A detailed discussion of the historical and economic attitudes of the *Narodniki* is to be found in Simkhovitch, "Die Sozialökonomischen Lehren der Russischen Narodniki", in Conrad's *Jahrbücher für Nationalökonomie und Statistik*, Bd. XIV (LXIX), pp. 641-678.

[2] Quoted by Hecker, *Russian Sociology* (1915), p. 108.

[3] Peter Lavroff, *Historische Briefe* (Berlin, 1901), p. 148.

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ones. He is a variant from the norm, a nucleus about which, under favorable conditions, a new type or group is formed." [1] As against the inertia of the Russian peasant masses, which Lavroff and his followers tried to shake and revolutionize, his only hope had to be such a social theory.

Mikhailovski, one of the great line of Russian publicists, had, in his day, tremendous influence over the Russian intelligentsia. His historical approach was the same as Lavroff's, but he developed an entire sociological system built on the concepts of the Hero and the Mob. The term "hero" did not imply in Mikhailovski's theory anything beautiful or impressive or moral; the "hero" may, under circumstances, be a common criminal, a moral leper, or a half-wit, but he takes the initiative and becomes leader of the mob, which follows him, because the mob does follow and does imitate the leader.[2] Mikhailovski, a literary critic and publicist, hard-working editor of a Russian monthly, had no time for systematic treatises on history. Yet, he was a consistent thinker; following in the footsteps of Lavroff he developed a "subjective sociology". This subjective sociology is nothing but an appendix to an heroic concept of history. If the critical personality or the "hero" is to affect the masses, and lead—the question arises whereto is he to lead? Social science therefore becomes a science of evaluation of ends, a teleology necessarily affected by subjective ideals, and not an inevitable objective march of history.

The word "sociology" did not exist in Germany in the early post-Hegelian period. The conflict between objectivity and subjective voluntarism was fought out in discussions of the historical process. We find the same condemnation of the "objective" method in the followers of Bruno Bauer.[3] The decade, however, that produced in Germany philosophical

[1] Hecker, *op. cit.*, p. 110.

[2] Mikhailovski, *Works* (in Russian, St. Petersburg, 1896), vol. II, pp. 95 *et seq.*

[3] Szeliga, *Die Organisation der Arbeit der Menschheit und die Kunst der Geschichtsschreibung Schlossers', Gervinus', Dahlman's und Bruno Bauer's* (Charlottenburg, 1846), pp. 6, 21, 22-23.

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appeals to the leadership of the critical personality witnessed also the Chartist movement in England, the struggles that later led to the February Revolution of 1848 in France and in Germany the hunger-riots of the Silesian weavers. These mass movements suggested the formulation of another political hope, another philosophy of history—the so-called Marxian economic interpretation of history, which we will discuss later.

In this connection it is of interest to note what happened fifty years later. The Russian subjectivists were quite familiar with Marx, and Marxian economic theories were in great vogue with the Russian intelligentsia. These theories were combined, however, not with Marx's economic interpretation of history, but with the voluntaristic heroic conception of history of Lavroff and Mikhailovski. This curious combination was in the main the theory of the so-called Russian *Narodniki*. But when industry began to develop in Russia by leaps and bounds and the industrial proletariat began to increase, then, in the middle of the nineties of the last century, the economic interpretation of history suddenly swept the country, and the heroic concept of history, the creative rôle of the "critical personality", gave way to an "objective" sociology. This sociology accepted an inevitable historical development in which the individual was sunk in the social group, and the social group and its activities were directed by economic necessity. The man who gave the *coup de grâce* to the Russian *Narodniki* was Peter Struve. Such was the irony of fate that one man was selected to give a complete demonstration of the emotional and politico-pragmatic significance of quite a few of our philosophies of history. For it was Struve who was the exponent first of all of Marxian orthodoxy, then of Marxian revisionism, then of political liberalism, and lastly — after the Bolshevik Revolution — of old-fashioned Greek Orthodox monarchism.

In all these capacities Struve was but a spokesman of social and intellectual mass-movements, and such were most of the men with whom we are dealing here. So indeed was Hegel. Of course, one can approach Hegel in various ways. So, for instance, a year or so ago we noticed in the *Kantstudien* an

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advertisement of a *Preisausschreiben*. The theme was: *"Hegel als Wegweiser im Kampfe um Deutschlands Nationale Befreiung"*.[1] We can indeed approach Hegel as an opponent of Romanticism. Hegel himself emphasized his logic rather than vision and emotion. But what we cannot well do is to dissociate him from his time. We cannot remove him from the problems, the choices of direction and purposes that the situation indicated, not to Hegel alone, but to all his contemporaries. Thus he becomes part and parcel of a mass movement. Where he differed is only in giving a logico-dialectic formulation to a certain prevailing type of reactions and aspirations. Hegel himself somewhere points out that no one can be above his *Zeitgeist*. But his *Zeitgeist*, along with his *Volksgeist*, is a rather intangible entity tied up with the movements of the *Weltgeist*. The lack of minor insights does not, however, supply us with a major insight, and we do not get a clearer insight into the *Weltgeist* by not comprehending what is comprehensible — the *Zeitgeist* and the *Volksgeist*.

If we conceive the so-called *Zeitgeist* as the characteristic slant of an intellectual mass movement, it is not difficult to understand. We may well take a leaf from Hegel's own book. In the third volume of his *Encyklopädie* (*Die Philosophie des Geistes*), Hegel has something to say about education. It is an emphatic exposition and defense of the customary. He tells us that there are infinite differences among individual souls, but this infinity is undesirable and must be abolished by education. The idea that the teacher should consider the "individuality" of a pupil is to him simply empty talk. The individual peculiarities of a child may be "tolerated" in the home circle, but in the school begins a life of order and regulation. The spirit is forced to put away its individual peculiarities and is brought to will and know what is general. *"This transformation of the soul is education."*[2] Hegel continues this chain of thought by

[1] *Kantstudien*, vol. XXXVI (1931), Heft I–II.

[2] "Die einzelnen Seelen unterscheiden sich von einander durch eine unendliche Menge von zufälligen Modificationen. Diese Unendlichkeit gehört aber

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elaborating on obedience as the beginning of all wisdom, etc.,[1] and as training the immature child gradually to accept what is general and "objective" as his own will. The substance of the process as depicted by Hegel is correct, but the formulation of what occurs can be improved upon.

What Hegel is actually describing here as education is the process of implanting general attitudes. As a matter of fact, Hegel had little reason to deplore the toleration of peculiarities in the home circle. One's bringing up, in whatever state one may have been born, is also conventional—regulated by social custom. Thus, by our bringing up and our education, general attitudes are firmly implanted and established. Of some attitudes we are conscious, others not. But with the sum total of these attitudes we, as a generation, meet the problems of life, the historically changing conditions that confront us. At a given time, we have—generally speaking—the same attitudes: that is, the same ways of reacting both emotionally and intellectually. On the other hand, the historically given situation that confronts us is also the same. It would, therefore, be indeed surprising, if our ways of meeting the new problems of life did not present the pattern of intellectual mass movements. Such a mass movement was the advent of Historicism in the early decades of the nineteenth century.

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zur schlechten Art des Unendlichen. Man darf daher die Eigenthümlichkeit der Menschen nicht zu hoch anschlagen. Vielmehr muss man für ein leeres, in's Blaue gehendes Gerede die Behauptung erklären, dass der Lehrer sich sorgfältig nach der Individualität jedes seiner Schüler zu richten, dieselbe zu studiren und auszubilden habe. Dazu hat er gar keine Zeit. Die Eigenthümlichkeit der Kinder wird im Kreise der Familie geduldet; aber mit der Schule beginnt ein Leben nach allgemeiner Ordnung, nach einer allen gemeinsamen Regel; da muss der Geist zum Ablegen seiner Absonderlichkeiten, zum Wissen und Wollen des Allgemeinen, zur Aufnahme der vorhandenen allgemeinen Bildung gebracht werden. Diess Umgestalten der Seele—nur Diess heisst Erziehung. Je gebildeter ein Mensch ist, desto weniger tritt in seinem Betragen etwas nur ihm Eigenthümliches daher Zufälliges, hervor." Hegel, *Werke*, vol. VII, Part II, p. 82, Zusatz to Sec. 394.

[1] *Ibid.*, p. 96, Zusatz to Sec. 396.

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REVIEWS

International Migrations. Volume II: *Interpretations.* Edited by WALTER F. WILLCOX. New York, National Bureau of Economic Research, Inc., 1931.—715 pp. $7.00.

The publication of Volume II of *International Migrations* marks the completion of a noteworthy work of international collaboration. In 1925 the National Bureau of Economic Research, acting under the auspices of the Social Science Research Council, offered to finance an historical study of migration statistics if the Labor Office at Geneva would undertake the work.* This second volume presents a series of interpretative studies for a score of countries, each prepared by a scholar residing in the particular country. The chapter on Mexican immigration into the United States is an exception, and was prepared by an American scholar who has been working for years in that field. The effort to secure a study of Chinese emigration failed. The International Statistical Institute, invited to assist the editor in the delicate task of finding and enlisting the services of the best collaborators, elected an advisory body of four for this purpose, including representatives from France, Germany, Italy and the Netherlands.

The volume is divided into three parts. Part I, written by the editor, is a most valuable introduction to the study of world population movements. Professor Willcox presents a critical review of estimates of the earth's population from 1661 to the present, revising these estimates in the light of our present knowledge. In Appendix I are summarized previous estimates of world population prepared by five authors, Balbi (1661), Wappäus, Wagner, Levasseur and Knibbs. The main conclusion of this first chapter is that the population of the earth has increased from about 465,000,000 in 1650 to about 1,820,000,000 in 1929 (p. 78).

* Volume I, bringing together the best available statistics on migration during the nineteenth century and until 1924, was prepared by the Labor Office under the immediate charge of Dr. Imre Ferenczi and appeared in 1929. Professor Walter F. Willcox organized and directed the entire inquiry for the National Bureau, serving as editor of both volumes.

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The greatest element of uncertainty in recent estimates has been the divergent views as to the size of China's population. The difficulties of taking an accurate census in China are well nigh insuperable and the margin of error must be great. Professor Willcox has presented papers on two occasions before the International Statistical Institute on this subject of Chinese population. While attending the Tokyo meeting in 1930 he had opportunity to discuss the problem with Chinese scholars. He estimates the number of Chinese very conservatively at about 342,000,000, which brings his estimate of world population relatively low. Probably this figure for China is too definite but at least the estimate seems to bring the conclusions of Chinese and Western scholars into closer agreement than heretofore.

Part II includes studies of countries receiving large numbers of immigrants (United States, Canada, Argentina, Brazil, Australia, New Zealand). Professor Willcox contributes the first of these specific studies of national immigration currents, describing the most important single movement, migration to and from the United States. He analyzes very fully the composition of the migrant population, and notes the effect upon the official figures of important changes in the definition of migration since the records began in 1820. Reported immigration for the period of 111 years, 1820-1930, has been 37,762,000, but, allowing for emigration, which has been recorded only since 1908, the author estimates net immigration for the entire period as 27,300,000. Appendix II furnishes a detailed critique of official immigration statistics for the United States, which will prove extremely useful to students of immigration.

Some have maintained that this immigrant tide has not really increased the population of the United States. Francis A. Walker, in 1891, wrote, "Foreign immigration into this country has, from the time it first assumed large dimensions, amounted not to a reinforcement of our population, but to a replacement of native by foreign stock." According to this view immigration checked the birthrate of the native stock to such an extent that our population is no greater than it would have been without immigration. The opposite extreme view holds that immigration has regularly increased the population by an amount about equal to its number. From the statistical evidence Professor Willcox concludes that the truth is between these two extreme views. This position seems to the reviewer to be entirely sound.

Part III is devoted to studies of national emigration currents

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(from Great Britain, Ireland, Scandinavian countries, Germany, Austria, Hungary, Italy, Russia, Mexico, India, Japan). The specific studies follow somewhat similar lines: causes, occupation and social status, marital status, sex and age composition of the emigrants. Inevitably under multiple authorship there is a good deal of repetition in the details indicated above which are similar for different countries. The papers are by no means of equal value.

Dr. Hersh's study of the international movements of the Jews, including some reference to the imigration into Palestine in 1925, is of special interest and is one of the most thorough. He makes specific commentary on the statistical tables of Volume I and his study is a model of organization. Dr. Ratti's study of the mass movement from Italy also deserves special mention. The chapter on Japan does little more than discuss the validity of the statistics. The reader will find eleven pages of bibliography at the end of the volume. Both volumes of this work will be indispensable to all students of migration.

Robert E. Chaddock

History and Theory of Agricultural Credit in the United States. By Earl Sylvester Sparks. New York, Thomas Y. Crowell Company, 1932.—xiii, 476 pp. $3.75.

This book has two distinct merits, both of which are suggested in its title. First, it makes a historic approach to the problem of agricultural credit and thus sets the discussion of current problems in a more adequate perspective. Second, it links its presentation of factual and descriptive material to a consistent plan of analyzing the economic principles involved in the extension of credit to agriculture. This analysis concerns itself not merely with a variety of different banking institutions and their operative procedures, but scrutinizes also the interrelated issues of currency and prices. As a result, the reader sees the subject not in terms of a counting-house report of volume of credit extension, interest rates, defaults and profits, but in terms of a functional analysis of the financial organization of the agricultural industry as part of our whole economic life over the period of our national (and indeed colonial) life.

Starting with the flow of capital into agriculture in the form of store or merchant credit, we proceed through four parts dealing respectively with the land banks (beginning three centuries before the Federal Farm Loan system), mortgage loans outside the Federal

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Farm Loan system, commercial bank loans to agriculture (including credit unions), and the Intermediate Credit system (with the antecedent livestock loan companies). The book concludes with three summary chapters whose titles admirably show the scope and plane of the discussion: "Is the Farmer in the United States Amply Supplied with Rural Credit Facilities?", "Status of Farm Debt in the United States", and "Present and Future Credit Needs of Agriculture".

When one starts out to write a doctoral dissertation he may reasonably be expected to employ one technique, and when he starts out to write a textbook he ordinarily employs another. A perusal of these pages suggests that Professor Sparks first wrote a thesis on the subject of agricultural credit in the United States and that he and his advisers then came to the conclusion that the document ought not to be relegated to the limbo of doctoral dissertations. The version here presented has been given much of the conventional textbook form with chapter bibliographies and lists of questions and topics for investigation. At the same time a wealth of historical material gathered for the documentation of the original treatise has been retained. Inasmuch as this material is often presented in the form of direct quotations from original, scattered and sometimes not too accessible sources, the book achieves something of the character of a source book as well as a text, enabling the student to get the equivalent of considerable collateral reading to enrich the author's individual exposition. There are places at which it appears that the more remote part of the subject is handled in detail disproportionate to that developed for current institutions and problems. For example, the treatment of merchant credit today does scant justice to the importance of the current problem in terms of the automobile, the agricultural implement situation, commercial fertilizers and instalment sales of equipment for the farm home. Similarly, the discussion of life insurance companies as lenders on farm mortgages seems to leave the Prince of Denmark out by terminating its discussion with the situation of 1922.

However, the prevailing character of the discussion is such as to raise the important issues without dogmatizing upon them and to give them a sound historic and theoretic setting. The instructor is left free to draw upon current materials to animate the discussion of the issues raised. Such materials are abundant and always accessible, whereas any text must soon be out of date.

The author says: (p. 451) "There is no present need for addi-

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tional permanent or emergency agricultural credit systems. Improvements can be made by the elimination of some of the existing credit facilities and by the proper utilization and development of the essential credit organizations", and adds a list of specific recommendations.

E. G. NOURSE

INSTITUTE OF ECONOMICS

Brokers' Loans: A Study in the Relation between Speculative Credits and the Stock Market, Business and Banking. By LEWIS H. HANEY, LYMAN S. LOGAN and HENRY S. GAVENS. New York and London, Harper and Brothers, 1932.—x, 241 pp. $5.00.

This book, prepared by members of the staff of the New York University Bureau of Business Research, is the first statistical study of brokers' loans to appear. As such it will serve as a reference work for all future students of the subject. Since its general conclusions are established by means of statistical analysis, some readers may err in according them especial merit.

The first purpose—of serving as a reference work for students—is fulfilled by its excellent introductory chapters, which give a detailed account of the differences between the series of reported data on the volume of brokers' loans. There are three sources of current data. These are the New York Stock Exchange, the New York City weekly reporting member banks, and all member banks which have reported their "street loans" under a separate heading on call dates since the fall of 1928. The latter are the nearest approach to complete figures obtainable. The first two, since they cover a longer period of time historically and appear at more frequent intervals, are of more interest to the statistician. They overlap in some respects which are pointed out in chapter iii. Ratios of these series to one another and various subdivisions of them to each other are presented in graphic form. These may be of some assistance to future students in determining when to use one part of the data to approximate another.

We may now consider the general conclusions on the causes and effects of changes in the amount of brokers' loans. The more important of these are (1) that new security issues are not a major factor in determining the total volume of brokers' loans, (2) that the demand for funds has more influence on cyclical variations in the total than has the supply, (3) that brokers' loans do at times divert a considerable part of the nation's credit supply from commercial

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uses, and (4) that brokers' loans should be regulated. Each of these points will be taken up in turn.

(1) *The effect of new security issues on the amount of brokers' loans.* The conclusion reached is that new security issues have some slight effect on brokers' loans and that new bond issues have a greater influence than new stock issues. This is because banks are willing to lend more money on bonds than on stocks. This is shown by comparing new stock and bond issues with brokers' loans at times when the latter do not move with the price of stocks.

(2) *The demand for funds has more influence on variations in the amount of brokers' loans than has the supply.* This conclusion is of great importance because, if it is true, it absolves the banking system of all blame for the creation of the credit base which caused the great stock market débâcle. We can conclude that the original impetus came from the speculative tendencies of the public and not from the easy money policies of the Federal Reserve system. The proofs of this contention are far from conclusive. They are based on a comparison of ratios, which are assumed to be representative of supply and demand factors, with the total of brokers' loans. The supply ratio is made up in the following novel way. A weighted average of time and call money rates, called "I", is divided by an estimate of the total value of shares traded, called "D". This is assumed to be a measure of the supply of funds because "If I rises, the rise must be caused either by an increase in demand or a decrease in supply or both. If, therefore, we find an increase in I while D remains unchanged, we can infer that the supply of funds available must have declined . . . it is apparent that if we eliminate the effect of changes in D (demand) from I (money rate), we secure an indication of the changes in supply of funds" (p. 140). The elimination is accomplished by simple division. The result, when plotted in graphic form, does not resemble any known series. This would seem to be due to accidental factors introduced by the fact that the units in which the numerator and the denominator of the ratio are expressed are not the same. The measure of demand is the ratio of interest rates to the volume of security loans by banks and "others". The reason is, "If we eliminate the effect of changes in supply from the money rate, there presumably remains something resembling the changes in demand. In other words, suppose that money rates rise in a month in which the supply of funds remains unchanged. It seems clear that there must have been an increase in the intensity of demand for funds. Or if the money rate falls more sharply than

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the supply of funds, the demand probably has decreased," (p. 142). The two series making up this ratio are plotted for the years 1926 through 1931 in index-number units (p. 139). This chart indicates that interest rates and security loans showed the same cyclical variation in this period, with interest rates moving in a wider range. This fact alone would make the ratio of interest rates to security loans show the same cycle as interest rates alone, though a cycle with lesser amplitude. The authors point out the similarity between the cycle of the ratio and the cycle passed through by rediscounts during this period. This is because the ratio is dominated by its numerator, interest rates, and cycles in interest rates have been shown by W. W. Riefler (*Money Rates and Money Markets*, New York, 1930) to coincide with cycles in rediscounts. Therefore the conclusion that "*. . . the demand for speculative funds is more influenced by cyclical conditions than is the supply,* and that *the cyclical swings in money rates are largely due to changes in demand*" (p. 143) is not proved. What is established is merely that interest rates and security loans moved with different amplitudes in the period under consideration. The period 1919 through 1925 is not considered. At that time this relation did not hold.

No attempt is made to answer this important question by comparing brokers' loans with Federal Reserve operations in the money market. The only suggested comparison is one with the reserve ratio of the Federal Reserve banks and this is quite correctly thrown out as being without significance. If we were to accept the authors' contention, based on a study of ratios whose numerators and denominators are not expressed in the same units, we would be forced to accept their conclusion, "If Federal reserve credit is to be kept out of the money market, this can be done efficiently only by controlling the speculative demand itself" (p. 178). There is room for further careful study before giving up attempts to control the supply of speculative credit.

(3) *Brokers' loans divert credit from commercial uses.* A discussion of the factors affecting commercial and speculative credit and the rates on these two types of credit between 1920 and 1930 indicates that brokers' loans have absorbed credit needed by commerce and industry at times when their total became excessive. This is an important conclusion because, while it is accepted by some, there have been many writings by stock-market apologists to prove the opposite.

(4) *Brokers' loans should be regulated.* Suggested methods for doing this are criticized. It is proposed that plans for regulation should be drawn up during a period of depression, when they will

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not result in immediate loss to any group, but will serve to set limits to future operations. How this is to be done if Federal Reserve credit can only be kept out of the speculative money market by controlling the demand itself is not explained.

The statistical methods employed are charts, the ratios referred to above, and a rough substitute for correlation based on a count of the number of times when various pairs of time series move in the opposite direction and the number of times when they move in the same direction. It would seem, therefore, that the sections of the book describing the existing data are of more value than those sections which attempt to draw important conclusions about the causes and effects of changes in the volume of brokers' loans. One interesting fact found in connection with the careful analysis of the data is that there is a seasonal variation in brokers' loans and in the call and time money rates. The indexes of these seasonal variations are given in the appendix, where all the data used in this study are tabulated.

CAROLINE WHITNEY

NEW YORK CITY

Demokratie und Kapitalismus. By FERDINAND ALOYS HERMENS. Munich, Dunker & Humblot, 1931. — viii, 242 pp. Rm. 11.50.

It is interesting and significant that we should receive from Germany in these latter days not only a defense of democracy, but an argument for its irresistible expansion; for that is the purpose of the present work. Mr. Hermens argues that wherever capitalism, in the general and popularly accepted sense of the word, develops, there democracy is the only possible form of government. What the author means by democracy is indicated by the fact that he considers the English government the democracy *par excellence.* He looks askance upon the doctrine of Rousseau and his followers on the continent of Europe. Nor does he like Locke and Montesquieu with their separation of powers. The essence of democracy does not lie in the absence of power, but rather in the fact that power rests upon consent instead of physical force. The basic characteristic of democracy is therefore leadership by men competing freely among each other for predominance, as opposed to all sorts of rulership characteristic of autocratic régimes (*Herrschaftstaat*, p. 25). It would seem, however, that the author tends to overstate his case

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in the usual way when he speaks of equal opportunities in a democracy. The best one can say for England and other democratic countries is that there are some opportunities to rise for everyone, but a realistic analysis of, let us say, the composition of the English public service would certainly indicate that these opportunities are not equal for everyone. With his emphasis upon leadership and his preference for the English form of government, it is not surprising that Hermens is a strong opponent of proportional representation (p. 62). But he is not an adversary of the bureaucracy. On the contrary, he considers it an essential element of the modern state, and one which is not a threat to democracy, since the bureaucracy seldom governs, because it does not aspire to.

The intimate and necessary connection between our modern industrial society—for that is what is popularly meant in Germany by capitalism—and democracy rests upon a number of factors which Hermens discusses in turn. There is first the modern system of transportation and communication which allows for a degree of centralization formerly unheard of (p. 151 *et seq.*). There is secondly the standardization of life (p. 153). The organized civil service essential for the functioning of the system as a whole provides a third factor (p. 154). To these elements must be added, as a fourth, the technicalization of war (p. 155 *et seq.*). This vast machinery of war, together with the large civil services, necessitates a complex fiscal system which in turn itself constitutes the fifth element. A consideration of all these factors seems to our author to lead to the conclusion that the industrial society has created the modern state and he explicitly rejects the opposite view (Sombart) that the modern state has fashioned modern industrial society. The reviewer believes that either of these causal interpretations is a simplification and that we have to interpret the modern state and industrial society as interrelated phenomena which are part and parcel of a single whole. But obviously, it exceeds the boundary of a short review to take up in detail the many and interesting deductions which the present volume contains. It remains to add that the author envisages an end of capitalism as the pace of the industrial revolution slows down and finally comes to a standstill. That leadership will once more crystallize into rulership seems to Hermens probable when this state of affairs is reached, but he refuses to admit that either Italy or Russia is indicative of this future; on the contrary, he insists that both Fascism and Bolshevism are pathmakers of an industrial society and will be succeeded by some form of

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democracy—an interesting view, and one for which a good deal more is said in this valuable book. Mr. Hermens has carried forward and synthesized the work of the Webers, Sombart, Schumpeter, Smend, Hasbach and others in Germany and related it to that of Brice, Hauriou and Wilson in Western Europe, with the result that he is able to make out a rather convincing argument for the continued need and desirability of representative government of some sort.

CARL JOACHIM FRIEDRICH

HARVARD UNIVERSITY

Lord Rosebery. By the MARQUESS OF CREWE. New York and London, Harper & Brothers, 1931.—xv, 592 pp. $5.00.

Soon after Lord Rosebery's death, in 1929, his son-in-law, Lord Crewe, who had known him for fifty years, undertook the preparation of this authorized biography. It is based, to a large extent, on materials hitherto unused, including a diary and journals kept by Rosebery, impressions and appreciations of persons and situations which he jotted down, especially in his later years, his letters to Queen Victoria, Gladstone and others, and brief diaries kept by Lady Rosebery. Lord Crewe was familiar, of course, with Rosebery's published speeches and writings, and he has made use of historical and biographical works. In his preface he mentions the popular sketch of Rosebery by Jane Stoddart, but nowhere, rather curiously, does he refer to E. T. Raymond's lively biography.

The book derives its chief value from the many extracts that are given from Rosebery's diaries, journals and letters, and especially from a number of introspective memoranda in which he sets forth his position with respect to political situations. For forming an estimate of Rosebery's character and motives these extracts are of the greatest importance; they make one agree with Lord Crewe in wishing that Rosebery had joined the "goodly fellowship of autobiographers". No exception can be taken to this biography on the score of bias in favor of its subject. Lord Crewe is never betrayed into hero worship. As would be expected, he is not overawed by aristocracy, and he pays no vulgar court to aristocrats as such. He makes no attempt to conceal the fact that he had a warm affection for his father-in-law, but this has not clouded his judgment. He recognizes that there were failings in Rosebery's character, some serious gaps in his intellectual equipment, and much that was enigmatic in his personality.

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From the literary point of view, however, one cannot but feel that the work could have been better done. A man as interesting as Rosebery deserves a more interesting biography than this. The strictly chronological order, which is followed in the main, makes a jumble of some of the chapters; the paraphrases and quotations from Rosebery's speeches often fail to do justice to their eloquence and charm; and the brief chapter on his literary work is quite inadequate. The reader, unless he is unusually well informed regarding events of the period, will often feel the need of more historical background and context than the author gives. It would not be unfair to say of this biography what Bryce wrote in a private letter about Rosebery's *Pitt*: "If you were to wish for any criticism. . . . I would say that it strikes me you sometimes assume rather too much knowledge of the events of the time in the reader's mind". In general, the author has taken pains to be accurate in his statements, but he might easily have ascertained that there was no presidential election in the United States in 1873 (p. 61), and he ought not to have taken a casual note in Rosebery's journal as sufficient evidence that the panic of 1873 was a "brief" one (p. 53).

To persons who were thrown into close contact with him Rosebery gave the impression of possessing exceptional abilities. When he was a schoolboy at Eton his master discovered in him "the finest combination of qualities" he had ever seen, and before he was forty Gladstone hailed him as "the man of the future". He was undoubtedly a great orator; Lord Crewe says that nobody who ever heard one of his important platform speeches can forget the experience. But among British statesmen of the Victorian era Rosebery does not take a place in the front rank. Why did the great promise he gave remain unfulfilled? His own answer to this question is given in a memorandum written after his retirement from public life:

> The secret of my life, which seems to me sufficiently obvious, is that I always detested politics. I had been landed in them accidentally by the Midlothian Election, which was nothing but a chivalrous adventure. When I found myself in this evil-smelling bog I was always trying to extricate myself. That is the secret of what people used to call my lost opportunities, and so forth. If you will look over my life you will see that it is quite obvious. But nothing is so obvious as the thing which one does not wish to see.

But is this quite the whole story? If Rosebery was not happy in office, and there is plenty of evidence in this biography to show that he was not, he seemed to experience extraordinary difficulty in vanish-

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ing from the political scene. As he said in a memorandum written in 1905, "I have not found total and final retirement easy in the past". When he resigned the Liberal leadership in 1896, he did not make it clear whether, in his own words, he "said farewell to the Liberal Party or to party politics or to public life", and in view of some of his later public utterances it is not strange that many Liberals refused to treat his retirement as definitive. And he does not seem to have been really happy after all possibility of a return to office had passed away. Did he have his own career in mind when he wrote in his book, *Napoleon, the Last Phase,* "Does not history tell us that there is nothing so melancholy as the aspect of great men in retirement?"

Rosebery's character is more interesting than the events of his public life, but Lord Crewe has not attempted to write a psychographic biography of the type that is in vogue at present. Perhaps he knew too little about psychology—or too much about Rosebery—to try to interpret him in terms of psychological formulas. The reader will not fail to realize, however, that he has before him a many-sided and extraordinary personality, in which contemporaries found a baffling element of incomprehensibility. Perhaps the explanation of some of Rosebery's attitudes and actions is to be sought in the psychology of the unconscious. Archbishop Davidson, who knew him well in his later life, said, "I have certainly known no public man's life so difficult to depict in its odd combinations and perplexing variety of facets."

ROBERT LIVINGSTON SCHUYLER

Memoirs of Prince von Bülow. Volume III: *The World War and Germany's Collapse, 1909-1919.* Translated by Geoffrey Dunlop. Boston, Little Brown and Company, 1932.—x, 435 pp. $5.00.

Chronologically speaking, this is the concluding volume of Bülow's voluminous memoirs. In many ways it is the least interesting, for, having fallen from power in 1909, Bülow has nothing to do but criticize. There is nothing of the sparkle, wit and anecdote in this volume that made the preceding ones amusing, if questionable. Instead there is here almost unrelieved bitterness. Bülow abstained from public utterances and made no effort to put himself forward, even in times of the greatest crisis. He feels that he should have been consulted and that some opportunity should have been given

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him to exercise his knowledge and make use of his experience. But, so he maintains, Bethmann was anxious to have him keep out of the way, and Jagow, too, was consumed with the desire to keep him in eclipse. The only mission that was confided to him was the hopeless mission to Rome in the autumn and winter of 1914-1915, and then his success was not desired by the Foreign Office. Indeed, we are asked to believe that Jagow refused to bring sufficient pressure to bear on the Austrians to make cessions of territory to the Italians for fear that Bülow might score a success and be recalled to the chancellorship.

With regard to the origins of the war this volume contains a bitter indictment of Bethmann's policy. Bülow states and restates his conviction that neither the Emperor nor Bethmann wanted war, but he believes the chancellor's blank check to Austria to have been unpardonable and feels that with a little more firmness toward Austria and a little more understanding of the mentality of the English the situation might still have been saved, even at the time of the ultimatum to Serbia and Serbia's reply. Though he does not say just how, the prince is convinced that he could have muddled through without sacrificing Germany's honor. Of course he tells only half the story, and no careful student will allow himself to be misled by the rancorous version here presented.

In discussing the course of events during the war Bülow finds just as much to criticize in Bethmann's policy. The chancellor is pictured as living in constant dread of the socialists, and for that reason never daring to take vigorous steps against their subversive propaganda, as was done in England or France. This indirect encouragement of the defeatists and the disastrous idea of resurrecting Poland sounded the death knell of the old Empire. Bethmann's ideas of extending the suffrage in Prussia, ideas which his successors put into practice, came entirely too late. In fact, Bethmann was kept on altogether too long. His successor, Michaelis, was an unknown bureaucrat, who was called in because of his very unimportance and because the Emperor wanted someone he could manage. Hertling was old and sick, and Prince Max of Baden was incompetent, though well enough intentioned. Under these circumstances disaster was a foregone conclusion. The army was stabbed in the back by the breakdown on the home front. The popular leaders came into control while the Emperor ignominiously fled. The revolution in itself was a pathetic performance, which could easily have been prevented by the vigorous action of a handful of

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reliable troops. Then came the crowning catastrophe, the dictated peace and the delusions of Erzberger and other politicians with a child-like trustfulness in the good intentions of the Allies. It is a sad story, and one can readily understand that Bülow, who started his career in the victorious war against France and grew to manhood in the diplomatic service under Bismarck, should feel hopeless in the hour of humiliation and defeat. Hopeless is, perhaps, not the proper word, for he ends on a note of confidence in the sterling qualities of the German people and the ability to lead of hundred per cent Prussians like Hindenburg. But taken in the large, the Bülow memoirs, entertaining though they be in places, paint too gloomy a picture of Germany on the road to ruin and are too scarred with bitterness and venom to be a reliable guide to the student of recent European history.

WILLIAM L. LANGER

HARVARD UNIVERSITY

The Little Entente. By JOHN O. CRANE. New York, The Macmillan Company, 1931.—xvii, 222 pp. $2.50.

Among the numerous cross-word puzzles which postwar Europe presents to the American students of political science, the origin and growth of the Little Entente—a political and military alliance between Czechoslovakia, Rumania and Yugoslavia—is perhaps one of the most startling. No really competent treatment of this strange phenomenon has hitherto been written in the English language; the available literature is almost exclusively partisan and of a strongly propagandist character. Mr. Crane's monograph sheds a welcome and needed light on an important aspect of contemporary European political history. Few Americans have had better opportunity to observe closely and to obtain first-hand information about the complex situation in South Central Europe than the author of this book, who for several years was private secretary to the President of Czechoslovakia. Few persons could have made better use of such an opportunity than Mr. Crane, whose presentation is clear, dispassionate, meticulously nonpartisan and comprehensible.

The book is divided into four parts. The first part, The Establishment of the Little Entente, deals with the origin of the alliance, which finds its *raison d'être* in the common fear of Hungary, at whose expense the three members of this alliance were born or en-

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larged. The second part, Current Progress towards Internal Stabilization, describes, successively, the astonishingly rapid consolidation of the new Czechoslovak Republic, and the difficulties standing in the way of stabilization in Rumania and Yugoslavia. The third part, Big Neighbor Problems, is devoted to a discussion of the problems which confront each member of the Little Entente on account of strained relations with powerful neighbors. The controversies between Rumania and Soviet Russia, between Yugoslavia and Italy and between Czechoslovakia and Germany, respectively, represent an added reason for the existence of the alliance besides the purpose of guaranteeing the *status quo* against all attempts of a revisionist Hungary. The last chapter of this part, devoted to a consideration of the Little Entente's position in Europe, is particularly illuminating as showing the interrelation between the political aims of France and the members of the Little Entente—an interrelation which is, perhaps, the most potent factor in the growth and influence of this alliance. The last part, The Outlook for the Little Entente, is, by its nature, largely conjectural. It is indeed hard to presage what the future of a political alliance may be.

The greatest merit of Mr. Crane's book is the detached and unbiased method of approach. While the author doubtless regards with sympathy the organization to which he devotes his book, or, at least, certain of its components, nevertheless he is not blind to the many unjust methods by which these states enriched themselves at the expense of other nations. Thus, Mr. Crane frankly admits (p. 54) that "the inclusion of 750,000 Magyars inside Czechoslovakia was not an exceptional instance where economic and strategic arguments won out at Paris over the abstract principle of self-determination." Concerning the territories gained by Rumania, he states candidly (p. 60) that "the new provinces, with the exception of Bessarabia, enjoyed an economic and cultural standard of living superior to that existing in the Regat [the prewar territory of Rumania], and were not lacking in capable administrative personnel of Rumanian nationality." This frank facing of facts enables the author to state clearly the issues confronting this alliance and to draw conclusions which the statesmen of the Little Entente might do well to ponder. After having read his book, one is not at all astonished to find that the author considers that the key to peace in Central Europe is the satisfactory settlement of the Hungarian question. "Despite all its useful accomplishments, the Little Entente will probably go down in history as a failure if it is not

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instrumental in bringing about a lasting understanding between Hungary and her neighbors" (p. 175). Looking at the Hungarian question, Mr. Crane fairly presents the moderate Hungarian demands for a reasonable revision of the frontiers, which would return the Hungarian population living in solid blocks along the Trianon frontiers, and for fair treatment of Hungarian minorities in the Little Entente countries. The difficulties of such an arrangement as to territories are obviously great in the author's opinion. Concerning minorities, while admitting that the minority treaties were violated by the Little Entente states, Mr. Crane seems to believe that there is a gradual improvement in this respect (pp. 179-80).

Whether Mr. Crane's conclusion is correct is a matter of opinion. He believes that the Little Entente has justified its existence by holding things together. He suggests that though the methods of this alliance may have been harsh, "the fact remains that the preservation of peace is vastly more vital than is the grievance of any one nation" (p. 188). If one is willing to regard the state of facts subsequent to the treaties of 1919-1920 as "peace", one must necessarily agree with Mr. Crane as to the useful purposes served by the Little Entente. However, there is a steady increase in the number of economic as well as political leaders in every country who regard the present situation in Europe as a continuation of the war with different weapons and between slightly different parties. The sorry conditions prevailing all through the continent seem to point to destructive warfare rather than to progress made possible by peace. If that be so, the usefulness of the Little Entente as a preserver of the *status quo* and a consolidating factor on that basis may be questioned. Whatever opinion one may hold on this point, no student of contemporary European politics can fail to read and derive benefit and enlightenment from Mr. Crane's scholarly study on the Little Entente.

FRANCIS DEÁK

COLUMBIA UNIVERSITY

L'Europe Centrale. By ELEMÉR HANTOS. Paris, Librairie Félix Alcan, 1932.—xii, 258 pp. 15 francs.

This is an opportune book. Every day the problem of the reorganization of the shattered economic life of the Succession States becomes more pressing. It is generally recognized that the solution of the problem lies in the hands of the Great Powers of Europe,

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particularly France. Hence it is significant that a professor in the University of Budapest, abandoning German, the language of most of his earlier works on special phases of Central European economy, chose to publish in Paris this summary of his ideas. Note also that the book appeared at the moment when M. Tardieu was launching his project for a Danubian economic union.

The author's analysis of the causes of the economic depression in Central Europe contains little that is new. The Treaties of St. Germain and Trianon which destroyed the political unity of the Austro-Hungarian monarchy, destroyed also an economic unity. The misguided attempts of the Succession States to set up independent economies were disastrous. The logical remedy is to reëstablish, as far as is practicable, economic interdependence. A realist in politics, the author rejects ambitious schemes such as the *Anschluss*. Recognizing that a customs union would not at present be approved by important European powers, he rejects that also, at least for the present. Nevertheless he is convinced that freer trade relations among the states of Central Europe are essential, and to bring about such relations he proposes a system of preferential tariffs.

Central Europe, according to Hantos, is divisible into two mutually complementary groups of states, viz. the industrial states, Germany, Austria and Czechoslovakia; and the agrarian states, Hungary, Yugoslavia and Rumania. (Poland he finds difficult to classify). If the industrial group would admit the cereals of the agrarian group at lower rates than imports from North America and the Argentine, they would help to revive prosperity in the Danube basin. The agrarian states by preferential rates on the industrial products of their neighbors would give them the wider market for the lack of which they are starving. Recognizing, however, that the economic future of Central Europe is largely conditioned by the political rivalries of Western Europe, Hantos admits that his system of preferential tariffs can succeed only if important powers are willing to give a liberal interpretation to the most-favored-nation clause in their commercial treaties.

An important and logical supplement to the plan to liberalize tariff relations is Hantos' proposal to reform transportation policies in Central Europe. Railroad rates are now used as instruments of economic protectionism. Special rates hinder imports and stimulate exports. By abolishing such discriminatory rates and by establishing uniform freight classifications, the quotation of through rates would be facilitated and the cost of international transportation reduced.

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The reform of commercial and transportation policies is the substance of Professor Hantos' plan. Taken together these policies occupy almost three-fourths of his discussion. In the remainder he advocates for the industrial states of Central Europe the encouragement of international cartels. While admitting that cartels have at times used their power to interfere with international trade, he believes that under uniform regulation they can be made the instruments of a better territorial division of labor and of reduction in costs of production. The principal specific measure of agricultural policy recommended is the formation by the agrarian states of a common bureau for export sales of grain, with the avowed purpose of raising prices. In view of the author's explicit rejection of schemes for limiting production his position here seems illogical. He does not appear to appreciate fully the difficulties of price stabilization such as have developed in the United States and elsewhere.

One vital question is left undecided. Is Germany to be included in the Central European system? In his Introduction the author states: "La partie politico-commercial de mon plan a pour objet essentiel l'association des États-Successeurs de l'ancienne monarchie austro-hongroise, la reëdification d'un territoire économiquement homogène sur les bases élargies de l'ancienne monarchie." Later (p. x) he says "Le projet exposé n'exclut pas en principe la coopération de l'Allemagne sous l'angle de la politique commerciale."

The book is well written, but American readers will regret the absence of maps, statistical tables, an index and a bibliography.

PERCY WELLS BIDWELL

UNIVERSITY OF BUFFALO

Porto Rico: A Broken Pledge. By BAILEY W. and JUSTINE WHITFIELD DIFFIE. New York, The Vanguard Press, 1931.—xxxv, 252 pp. $2.00.

This volume is the fourth of the special studies of American imperialism in Latin America published by the American Fund for Public Service under the editorship of Harry Elmer Barnes, who writes the historical introduction. The book proper begins with the promise made by General Nelson A. Miles to the people of Porto Rico in 1898, that "the people of the United States come . . . to promote your prosperity and to bestow on you the immunities and blessings of enlightened institutions". It ends by holding the promise unfulfilled. An indictment of the selfishness of imperialism,

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it finally raises the question whether any type of government is "sufficiently flexible and unselfish to be colonial". Porto Rico may therefore be only one example among many, and the solution must embrace the larger problem.

The authors of the present study do not attempt, however, to reason out the ethics of the universal problem; nor do they even try to outline a new order in Porto Rico, except by implication. Their book is almost entirely a survey of the economic relationship of America and Porto Rico. After several chapters devoted to presenting a general picture of the island before 1898, they offer separate studies of the governmental structure, the sugar, tobacco and fruit industries, absentee ownership of banks, public utilities and railroads, overpopulation and the independence movement. Though they have interviewed some of the insular authorities, their facts are chiefly gathered from the reports of the Governor of Porto Rico, Moody's investment manuals, the report of the Brookings Institution survey under Victor S. Clark, and publications of the sugar companies. The major merits of the work are three: they have gathered these materials into compact form in one place; they have subjected the data to a painstaking analysis to determine the degree of absentee ownership of and profit from the island's production of economic goods; and they have studied the comparative costs of consumption goods and shipping costs, to support their analysis of the cost of American dependency status to Porto Rico. From these pages it becomes clear that the island's alleged favorable balance of trade is highly fictitious. America is slowly draining Porto Rico of its resources, altering the life of the island, pushing its population further into misery and contributing little to its welfare.

It is the contention of the authors that America is giving nothing to a people from whom she is taking much; and they arrive at this conclusion by a process of both positive and negative reasoning. They start with the sugar industry where profits received by absentee landowners and other capitalists are increased by underassessments for taxation. This is also shown to be true of the fruit industry; according to figures presented, the sugar and fruit producing lands are assessed at one-fifth to one-third of their real value. It is not, however, entirely clear whether this real value is selling value, or value arrived at by the capitalization of crop returns, both of which are mentioned; nor is this "underassessment" compared with the customary underassessment of agricultural land as a matter of law or policy in the continental United States. Porto Rican marketing

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methods are further examined to show how they operate to the loss of the small producer, whose crop is undervalued, even while he pays higher interest rates when borrowing. The inequality in the burden of the tariff on Porto Ricans is strikingly presented by comparison with the Philippines; it is evident that the tariff was planned for American continental needs, without considering the needs of America's island possessions. The paramount importance of food in the budget of Porto Ricans is analyzed for 1897 and 1928, and the effect of increased sugar, tobacco and fruit production in lowering the standard of living on the island is stripped of all platitudes. The relation of the American Coastwise Shipping Act to the closing of trade with and markets in Europe and South America and the creation of shipping monopolies in the trade of the islands receives similar effective treatment. Negatively, no credit is given the United States for improvements in roads, health or sanitation, or for the multiple increase in the expenditure on education in the insular budget, because these improvements have been paid for by Porto Rico.

In general, one cannot disagree with these conclusions; but some minor criticisms might occur to the reader. The style is dry, and somewhat repetitious. A useful table of contents is not an adequate substitute for an index. There is not sufficient indication that the statistics emanating from island sources, as well as from some other sources, are tentative estimates, rather than absolute figures; the local officials have had neither the means nor the trained investigators to do this work reliably well. Furthermore, statistical statements have not been made sufficiently full to be of value to the general reader, at whom the book is aimed. For example, the increase in Porto Rican population is reckoned from the estimated increase in the total number of the people counted on the island, without reference to the birth and death rates or to the adequacy of vital statistics, and it is not explained whether in comparing it with the increase in the continental United States, increase due to immigration has received consideration. In discussing unemployment, though the authors deprecate the inclusion of boys among unemployed laborers, they nevertheless quote unemployment figures for males ten years of age and over; and there is nothing to indicate whether in using unemployment figures for 1929, they may not be using an atypical year. When they offer the rates of income return on sugar, fruit and tobacco properties, they give no indication whether the bases on which the percentages are calculated are justifiable stock values or stock

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commonly thought to be watered. One must, moreover, constantly keep in mind the fact that since 1928 most economic values have been subject to drastic revision.

There are also some significant omissions. No credit is given to private Americans for their interest in and help to the island. No constructive measure is offered to solve the problem, though several are implied. No mention is made of the recent experiments in giving state aid to homesteaders in Porto Rico, nor of the attempts to extend diversified agriculture. Local mishandling of municipal funds is overlooked. Recent developments in adult education and in vocational training, which should be encouraged with United States aid, are ignored. The far-reaching program of Santiago Iglesias is casually dismissed. The central problem of Porto Rico is a question of dependency, and an intelligent effort to define this status might easily do away with all the difficulties presented in this book, without any offense to the justifiable pride of Porto Ricans, and without the absolute independence to which this survey seems to point. Mere independence will not exorcise the problems rising out of international trade.

ELIZABETH M. LYNSKEY

HUNTER COLLEGE

Greater America: An Interpretation of Latin America in Relation to Anglo-Saxon America. By WALLACE THOMPSON. New York, E. P. Dutton & Co., Inc., 1932.—275 pp. $3.00.

Latin American Problems: Their Relation to Our Investor's Billions. By THOMAS F. LEE. New York, Brewer, Warren & Putnam, 1932.—339 pp. $2.50.

The Coming of South America: El Resurgimiento de Sud América. By HENRY KITTREDGE NORTON. New York, The John Day Company, 1932.—300 pp. $3.50.

America Hispana: A Portrait and a Prospect. By WALDO FRANK. New York, Charles Scribner's Sons, 1931.—xviii, 388 pp. $3.50.

These four books purport to be the long-needed definitive interpretations of Latin American civilization. Their appearance bespeaks, perhaps, a growing interest in the subject; but the fulsome praise accorded the authors in reviews and blurbs indicates that the

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"average" American readers, at least, are not as yet prepared to appraise critically works on the Romanic nations of the New World. Such being the case, these sympathetically written volumes of well-intentioned authors will serve merely, in some cases, to accentuate prejudices already in existence, or in others, to create new ones where none existed before. Not one of the four authors was the master of the materials he based his interpretations upon, and the promise of "a clarification and interpretation of the things already known" did not materialize.

These volumes, furthermore, give substance to the suspicion that the crusading spirit must be instinctive in the North American. None of the authors was satisfied to study Latin American civilization *per se*, that is, from within, and without preoccupations as to consequences and ulterior motives. Unwittingly the authors disclose a something-must-be-done-about-it attitude. And, save Frank, they seem to concur that it is the mission of the United States to be the doer. This approach is too common in works on Latin America. Many Americans have written excellent tomes, from within, on ancient Greece, medieval Europe and even on modern European nations without soul-saving or shoe-selling concerns. The "definitive" works on the nations of the Latin American world will appear only when Latin American civilization is assessed on its own merits.

The effects on thinking of the industrial era, and of the present depression, are laid bare. These volumes show, for one thing, that the crusading spirit has only changed its direction and goal. Their emphasis is decidedly on material and practical rather than on moral and religious objectives. Yet there is a curious parallel between the books by Lee and Thompson and those of a generation ago. Then most of the works on Latin America were written by American Protestant missionaries who condemned Latin American civilization *in toto* as a means of justifying their efforts to convert Roman Catholic Christians to Protestant Christianity. Now, the American business man feels called upon to defend a perfectly normal and natural desire for profitable business relationships by endowing his activities with the characteristics of an idealistic campaign. He finds his smoke screen, or pretends to find it, in a "backward" material civilization while the missionary found it in moral degeneracy.

Both Lee and Thompson go to great pains to *prove* a need for Yankee enterprise in Latin America. Four hundred years of human

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bondage have held the people down, says Thompson; the dishonesty —or dissimulation—of the Latin American makes him unreliable in business affairs, says Lee. Inertia brought about by the climate, the evils of race mixture and many other considerations are adduced to shed light on the "backwardness" of Latin American civilization, on the lack of initiative of its people and on a general situation where American business men, bankers and engineers are clearly indicated as the logical saviors since they, in contrast, are energetic, efficient and enterprising. Both Lee and Thompson can see a rosy future for Latin America, providing the right guiding hands take the reins. So insistent are these authors on this point that one wonders if books of this nature are not primarily indications of the nervousness of American business men about their own economic future rather than of anxiety about the economic fate of Latin America. Perhaps the Latin Americans have got along far too well, alone, since 1929. Or perchance they may have exhibited too eager a desire to call on Europeans for aid and advice. In any event the thought that Latin Americans may continue to dispense with North American men and money in the days ahead may be the real explanation for the elaborate defenses of technical and financial transactions and interchanges that need none at all. And as in the case of the missionary, the defense is usually naïvely uncomplimentary to those to be "saved".

The actual civilization of Latin America is either overlooked or ignored. Or if peradventure some excellencies are observed, Lee, at least, ascribes them to the work of the foreign immigrant. But in general Lee describes the Latin America of thirty years ago when he first went to Mexico. Thompson goes to another extreme. He —or the depression—has just freed the Latin Americans from four hundred years of bondage. He describes them as poised on the end of a diving board and ready to plunge into a great and glorious civilization. He too reports that the good and the best is still to come. Norton's very title indicates his attitude. His book, however, should have been called "The Coming of Norton to South America" because he sets down enthusiastically his own discovery of things that are hoary with age to the informed. One of them is that only now are Argentina, Chile and Brazil becoming "nations". Frank seems to share the belief that Latin America has only a "prospect"—neither a present or a past to be proud of. Frank is, however, more critical and realistic about his own civilization, whereas Lee and Thompson manifest a sublimely enthusiastic

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and uncritical faith in their own compatriots and country. Both are extremely sincere and eloquent in their plea that North Americans can make something of Latin American civilization—and they alone. Thompson is very positive that the British have failed. Norton tries valiantly to be objective but his staunch Americanism precludes the attainment of his aim.

In addition to these objective factors that necessarily give an unsound twist to the interpretations, mention must be made of the incomplete knowledge on the part of all four authors of the irreducible minimum of background material necessary for even the rather simple expositions they attempt. In the case of the two business men, Lee and Thompson, it must be said that their chapters on finance, trade, transportation and loans are valuable contributions to an understanding of economic Latin America. It is in the other chapters, and in their main theses, that they fall down. Norton has twisted historical facts to suit his fancies and has ascribed to Brazilians characteristics assigned by most authorities to Chileans. Waldo Frank, for his part, was not interested in facts, despite his promise to tell "the truth about them" (p. xv). For example, on page 137 he says, "the Constitution of 1833 [of Chile] is the oldest still in force in the republics" even though he began writing his *America Hispana* four years after that document had been superseded by another.

One of the fundamental points made by Lee is that the cream of Latin American society was killed off during the wars of independence (pp. 18 and 48) and that this constituted a handicap from which the Latin Americans never fully recovered. According to Latin American authorities, however, the reverse was true. Many of the republics had to be freed from their "liberators" before progress could be registered and many of the liberators came from the cream of colonial society. On pages 54 *et seq.* Mr. Lee outlines a "fantastic plan", as he calls it, which would give the Latin Americans the sort of government they need. He states that this plan is impossible of realization because certain procedures have become so traditional in the *mores* of the people that instinctively they have come to approve, for example, of the confiscation of public funds for private purses. Aside from the absurdity of the generalization about the honesty of the Latin Americans, Mr. Lee seems to be quite unaware that many governments did carry out his "fantastic" plan, with honesty on the part of the dictator and with profit to the people as a whole.

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Perhaps Mr. Thompson would not have been so dogmatic in regard to the fundamental causes of the political upheavals in Latin America if he were more acquainted with the literature on the subject. He believes that the great bone of contention which caused political commotions was the question of federalism and "centralism". A more or less readily available statement of Guzman Blanco, one of the leaders of such a "federalist" revolution, might have indicated to Mr. Thompson that many other factors must be related to explain a phenomenon that is not subject to a simple explanation. Guzman Blanco stated that he had led a "federalist" revolution for the simple reason that, since every party must have a flag, and the *ins* called themselves "centralists", he had had no choice! Mr. Thompson is among those who believe that the Monroe Doctrine has been of invaluable service to the Americas. The present reviewer can find no evidence that the Monroe Doctrine has kept any European nation from pursuing what policies it pleased in Latin America. Too many dates of European assaults, interventions, blockades and wars come to mind. Furthermore the false analogy drawn between Latin America and Africa by Mr. Castle has confounded Mr. Thompson's better judgment.

Waldo Frank states that his *America Hispana* "must be taken as a work of art". Unfortunately it is listed as one of his works in history and is described as a story of a people in which the author "must be strict about his historic facts". Furthermore Frank calls upon himself a stricter criticism than his work deserves by the following paragraph: "Finally I give homage to my great predecessor in these realms: to the author of 'The Conquest of Mexico' and 'The Conquest of Peru', William Hickling Prescott". Poor Prescott!—the careful, painstaking, thorough and penetrating historian, lucid and classically limpid in utterance and the master of words, not their slave. What would he say of an author who buried the people he was trying to portray in an avalanche of obscure, recondite and meaningless words? Frank is intoxicated with words. Chaos, death, earth, wombs, wholeness, will, ethos, continuum of the Whole, rock pampa and vertebration—these are the tools he uses to tell his story of the Latin American people.

A few excerpts will illustrate the spirit and letter of *America Hispana*—a volume reviewed on the front page of metropolitan papers. On page 204 one reads that "All men, whatever their power, are confined within the walls of birth and death". On page 238 Frank summarizes the evolution of Mexico by saying that "the

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history of Mexico is personal death, the song of Mexico is human breathing". Of the Indian he says (p. 214): "The primordial lust of man to eat himself in order to partake of the mystic Whole was strong in the pantheistic red man"! Whether this is inanity or profundity, the reader may decide for himself.

It must be admitted, despite the disappointment of the book as a whole, that it contains much exquisite writing and many occasional pages of magnificent description. When Frank knows his material he can be superb; but when he does not he becomes absurd, as when, for example, in the interests of poetry and style he gives the Amazon an importance in Brazilian history that only remotely might be accorded the River Sao Francisco. Of the Amazon he says (p. 181) it "is a blood stream running through a forest, and that forest is Brazil. It is the flow of the huge tropic nation".

Mr. Norton was sent to South America by the Carnegie Endowment for International Peace. His book was written presumably to improve the relations between the Americas, but it will probably have the opposite effect. Unwittingly the author offends the sensibilities of Latin Americans by setting forth what he considers new truths on Latin America when in reality they are merely his own introduction to old ones. No man who has reached maturity, who has acted like a grown individual and who has many recognized achievements to his credit likes to be written up by an amateur reporter as a recent "find" of his own. Such writing reveals more than anything the ignorance of the reporter. Many of the Latin Americans believe that their nations were nations long before Mr. Norton was born and that they have had all the attributes of sovereign nations ever since independence from Spain and Portugal was won more than a hundred years ago. To state that they are now "coming" into maturity will be quite a shock. Furthermore Mr. Norton has had to take recourse to a device of dubious merit. In order to have a reasonable basis for his "startling" discoveries he sets up straw men and then tears them down most effectively. One is the "Latin America" to which reference has already been made and the other is a Latin American unity which never existed in the minds of informed North or Latin Americans.

Four books on Latin America of today—one by a journalist, one by a philosopher and poet, two by business men. Of the four, despite their faults, the two business men have written by far the best. Mr. Lee came dangerously close to putting his finger on some of the vital forces operating in Latin America. Mr. Thompson's

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is the least subject to destructive criticism in its workmanship. Mr. Norton's is just another book. Mr. Frank's is the most disappointing because of the extraordinary facilities to get authentic material he enjoyed while in Latin America, which justified the expectation of a first-class volume from his pen. He and Mr. Norton had no axe to grind; but axes, in this instance, seem to be not altogether destructive in their effects.

PAUL VANORDEN SHAW

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Philippine Uncertainty. By HARRY B. HAWES. New York, The Century Co., 1932.—xvii, 360 pp. $3.00.

This is not a great book. Probably it will be rejected as unscholarly, prejudiced and untrustworthy by a great many academicians. It is written by a senator, a politician who had preconceived notions about the question of Philippine independence before he began the preparation of the book. It is not footnoted (although there is a fairly extensive bibliography), a few of the conclusions stated can hardly be substantiated, especially in regard to certain questions of history; and there are occasional errors, as when the restrictions on naval bases and fortifications in the Pacific islands are ascribed to the Four-Power Pacific Treaty rather than the Washington Treaty for the Limitation of Naval Armament. But in comparison with the real merits of the book and the limitations of other works on the Philippines, these faults may be considered as of minor importance.

In his introduction Senator Hawes says: "The full, naked truth about the Philippines has not heretofore been given to the American people. They are entitled to have it; it is unfair to persuade or permit them to reach conclusions based on false impressions for purely selfish motives." In other words, he is convinced that the American people have been misinformed about the Philippines, and especially about the desire of the Filipinos for independence. His purpose, then, is to answer the principal charges that have been made against the people and the institutions of the Philippine Islands and the arguments that have been advanced as reasons for delaying the grant of independence by the American government. He takes a partisan position, to be sure, but he makes a strong case in most instances by quoting chiefly from official documents and the opinions of those that ordinarily would be counted as his adversaries. His point of view need not be considered more biased than that of former

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Governor-General W. Cameron Forbes, who wrote the "standard" two-volume work on the Philippines, and like Forbes, he makes a very evident effort to be fair in his statements and generous in his criticism.

There are chapters affording a convenient résumé of the material available on the people and resources of the Islands, the history of American relations with the Filipinos since Dewey's victory in Manila Bay, the development of government, the promises of independence by American officials. The author is on the surest ground when he discusses the debates in Congress on the various Philippine bills, and the present organization of the Philippine government. He adds new material on the "Selfish Factors" of trade and finance that now seek to influence the action of the American government, some for and some against independence. But his own personal contribution is the narrative of his six weeks' journey through the islands last summer, to investigate the attitude of the Filipinos on independence, and his attack on the anti-independence propaganda of those whom he calls the "Manila Americans".

The secretary of war, Patrick J. Hurley, also visited the Philippines last summer, likewise to investigate the attitude of the Filipinos on independence, and he returned with considerable evidence to support his contention that a great proportion of the Philippine people do not desire independence, at least at the present time. Senator Hawes, on the other hand, was convinced by his experiences in the islands that the Filipinos practically without exception, Moro and Christian, young and old, rich and poor, all passionately desire independence for their country. I believe there is no question but that the unprejudiced reader will feel that the senator's evidence on this much controverted point is more convincing than the secretary's.

The only place where the author speaks with any particular rancor is in his criticism of the attitude and influence of the "Manila Americans." Especially dangerous, in his opinion, is their control over the press and the news sources of newspapers in the United States; he offers some rather damning evidence of the distortion of news.

Here, at any rate, is the case of the Filipinos, presented by a responsible American. Since the future status of the Philippine Islands is to be decided by the government of the United States, with Filipinos themselves having no voice in the matter, it is well that this side of the question, as well as the other, should be put before the

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American people by an American. It is especially timely just now when a determined effort is being made in Congress to set definitely the time at which independence shall be granted the Philippines, ending that uncertainty which according to Senator Hawes, who is joint author of the independence bill pending in the Senate, all interested parties agree in considering an unfortunate aspect of the present situation.

ROY VEATCH

WASHINGTON, D. C.

Filipino Immigration to Continental United States and to Hawaii. By BRUNO LASKER. Published for the American Council, Institute of Pacific Relations, by the University of Chicago Press, Chicago, 1931.—xxii, 445 pp. $4.00.

The census of 1920 enumerated only 5,600 Filipino residents in the United States. By 1929 this number had multiplied ten times. A similar migration to Hawaii started a decade earlier and it is estimated that at the beginning of 1931 there were about 75,000 Filipinos in those islands. Of those on the mainland of the United States the vast majority have remained near the Pacific Coast. Nine-tenths of them are men, and four-fifths are under thirty years of age. While few of these latest of our immigrants intend to stay permanently in this country, we are told that thus far only one in fifteen of the arrivals has returned to his native land (p. 324).

Strictly speaking, the Filipinos are not immigrants, for their homeland belongs to the United States and they are American subjects. But the national sentiment against Asiatic immigration is rapidly being mobilized against them, and a bill was introduced in Congress in 1928 providing for their total exclusion. Little of the opposition to Filipino immigrants is seen or heard in our Eastern states. In the far West, however, serious conflicts have arisen between them and the other residents, and on several occasions these have broken out in violent clashes. While in many respects this is but repeating the experience of all our immigrant peoples, the demand for exclusion of Filipinos raises some entirely new problems. It complicates the issues involved in the movement for the independence of the Philippines, and it revives the bitterness aroused among the Asiatic nations a few years ago by our total exclusion of the Japanese.

These special considerations led the American Council of the

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Institute of Pacific Relations to undertake a study of the problems involved in the migration of the Filipinos, and Bruno Lasker was commissioned by the Research Committee of the Council to do the work. His book is one of a series of reports laid before the China conference of the Institute in the fall of 1931. While both the author and the Research Committee regard this only as a preliminary survey, the report itself shows that all available material was thoroughly canvassed, and the analysis of the problems involved from the points of view of all the parties affected impresses the reader as considerably more than a preliminary effort.

When the results of the census of 1930 are available there may be some correction of the statistical facts about Filipino immigration. But the problems that this immigration has raised both in the United States and in Hawaii are described by Mr. Lasker with such thoroughness and wealth of detail that they are hardly likely to be changed in any essentials by subsequent studies. Policies and programs as practiced and advocated both in the Philippine Islands and in Hawaii and the United States are also thoroughly reviewed, although the report does not attempt to make recommendations in these respects.

The report is presented in six parts with eight appendices containing detailed statistical information and descriptions of illustrative problems. After an introductory consideration of the main facts of Filipino migration, it proceeds in Part II to a consideration of the economic, social and educational problems that this migration has raised for the people of the United States as well as for the Filipinos themselves. Part III is concerned with the special problems in Hawaii, and Part IV analyzes the causes of emigration from the Philippines. In Part V policies and programs are considered as these have appeared in the Philippine Islands, in Hawaii and in the United States. A summary and conclusions are given in Part VI.

While no obvious solutions appear in Mr. Lasker's study, and the question raised by the agitation for Filipino exclusion admits of no simple answer, the report presents the data on which sound and wise policies must be based. The author and the American Council of the Institute of Pacific Relations have made it possible for the Congress and the people of the United States to base their policies and judgments on facts rather than on prejudices and rumors, and, however little use is actually made of the information they have made available in the final determination of policy, the country will

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be no less indebted to them for having attempted to inform us before we act.

In the past our immigration policies have been largely determined by immediate needs resulting from conflicts of interests that were thoughtlessly allowed to develop. The present report comes at a time when the problems of Filipino immigration have not yet reached this acute stage. It is possible still to take a long view of the effects of any policy we may adopt. The opposition to the Filipinos is due more to the experience in the past with other orientals than with immediate evils that the Filipinos have brought. We can afford to wait and to consider the effects of absolute exclusion on the move ment for independence in the Philippines, on our foreign relations generally in the Far East, and on the labor system of Hawaii. The present report gives us the necessary information for such a sound and considered policy.

W. M. LEISERSON

ANTIOCH COLLEGE

The Origin and History of Politics. By WILLIAM CHRISTIE MACLEOD. New York, John Wiley & Sons, Inc., 1931.—xv, 504 pp. $3.75.

The theories of diffusionism and independent invention, prominent in modern anthropology, have themselves gradually "diffused" into the other social sciences, replacing older theories based on geographical, racial or psychological determinisms. In this country no writer has been more active in bringing to economics and politics the standpoint of historical ethnology than Professor MacLeod. The present volume possesses a great deal of merit as a novel introduction to the problems of the origins and development of political institutions.

In the first place he draws upon primitive and non-European materials in his discussion of the rise of political institutions. Too often the student of politics in our colleges is left colossally ignorant of many important aspects of non-European cultures. Moreover, the author does not rest his case purely upon diffusionist methods but makes use of comparative methods where they seem appropriate to throw light on his material.

The opening chapter states the essential point of view that "a state is a corporately organized community" functioning for social order within the community, and possessing power to resist disinte-

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gration from outside or inside groups. The state represents a phase of the total social process and stands always in a position of superordination to other social groups, at least in times of great crisis like war.

The next nine chapters discuss various theories of political origins. It is shown that very rudimentary groups may exist without a state. The older arm-chair theories of unilineal or stage-wise social evolution are clearly inadequate. So too, the "violence" and "conquest" theories are critically examined. Moreover, racial and geographical theories of origins are placed in a subordinate position and the thesis of economic determinism is severely questioned. For example, various culture traits such as private property are found correlated with lack of real statehood, as among the Yurok, with a genealogical pyramid among the Kwakiutl, with contractual feudalism in Japan, and in England with representative government.

Rather than to accept any particularistic explanations of origins, then, the author indicates that the state as a governmental culture pattern probably arose in a "simple genealogical pyramidal pattern" of ruling families related, in turn, to stratification in society and showing certain likenesses to a feudal organization. In time slavery and other features doubtless arose as a part of the political order. Later the development of bureaucratic patterns and of contractual rather than genealogical feudalism assisted in breaking down the strict hereditary patterns and brought about mixed patterns of control witnessed in many cultures the world over.

In the remaining chapters, on the basis of evidence from anthropology and history, the author goes on to work out the details of the development of statehood in China, Japan, among the Incas, the Iroquois, and then in the Euro-American culture areas. Throughout the author is skeptical of older theories of independent invention and is disposed to defend his treatment in terms of the diffusion of patterns from a common center. While the evidence is not all clear, he makes out a strong case for diffusion from the Fertile Crescent and Mediterranean areas, of such fundamentals of modern political organization as centralized statehood, bureaucracy and feudalism and of such details as rotation of office, the use of the lot, the secret ballot, majority rule, juries and senatorial procedure. From this source many of our present-day patterns have spread eastward to India, China and Japan, and westward through Graeco-Roman forms to medieval and thence to modern Europe and the Americas.

While the author does not deny the possibility of independent in-

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vention, for example, of negative balloting among certain American Indian tribes, he does accept the familiar thesis of the historical ethnologists that it is easier to borrow than to invent, at least so far as the major patterns are concerned. "The form of a people's state is a function of the people's contacts" (p. 128). Often enough what may be called secondary invention occurs whenever foreign practices are adapted to local conditions, as witnessed in the feudal developments of Japan and Europe.

Among interesting details for the lay student of politics is the contention that the representative systems of England and the United States are not of Anglo-Saxon but of Mediterranean origin. And that, moreover, "modern representative government is essentially and historically in fact a league or confederation pattern; that this pattern represented an adaptation to league purposes of the idea and practice of representative government previously existing within the tribe or city state" (p. 308).

A note of caution should, however, be entered. The evidence for the diffusion of many of these political patterns is not altogether obvious and unquestionable. Gaps in historical continuities are everywhere evident, especially in regard to the earlier periods, and the author's discussion is replete with such expressions as "presumably", "probably", "we may safely consider it likely". Nevertheless, the argument for the most part is sound and certainly the discussion represents a distinct advance over the simpler theories based on notions of universal psychological characteristics in the presence of divergent geographical conditions, or of racial differences, or of some sort of supernatural plan working itself out in inevitable "stages" of growth irrespective of culture contact.

As a textbook the volume may have some drawbacks. The historical materials are highly compact, the discussions of various countries and culture areas are scattered throughout the chapters, with a certain amount of inevitable repetition, and the teacher will doubtless find it necessary to fill in a good many details of chronology in order to make the picture clear to the beginning student. Moreover, the author indulges, at times, in interpretative judgments about past or future events with which some of us may disagree, but this, I take it, is an author's privilege, a kind of social scientist's "poetic license", and in no way do these "value judgments" detract from the inherent merit of this excellent book.

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State Legislative Committees. By C. I. WINSLOW. Baltimore, The Johns Hopkins Press, 1931.—158 pp. $1.50.

Parliamentary procedure is a significant branch of public law. In the conduct of legislative business one may observe many of the complicated factors in the process of government. Government in the United States is very frequently judged and discussed in terms of existing legislative personnel, which is usually far simpler than an analysis of the conditions, circumstances and systems under which the personnel operates. There are also many procedural mysteries in legislation, and the difficulty in understanding what actually happens is augmented by bicameralism and the system of legislative committees.

Professor Winslow has correctly assumed that standing committees in American state legislatures have an important function in legislation. He has demonstrated this thesis by a meticulous examination of the committee system as it functioned during recent sessions in Maryland and in Pennsylvania. Prefacing his study of these states, however, he has presented a summary of the rules and composition of state legislative committees in the forty-eight commonwealths. This indicates, in many respects, marked similarity.

The division of labor among the committees is very unequal. A few important ones, notably Finance, Appropriations, Ways and Means, and Judiciary, have referred to them from one-half to three-fourths of all introduced bills. The committees are, generally, too large, both absolutely and in relation to the legislative membership. Members of both houses in the two states are appointed to numerous committees; in Pennsylvania the average for senators is thirteen assignments and in Maryland it is nine. As Professor Winslow states (p. 46), "the dilemma of numerous committee assignments becomes then apparent—compulsory non-attendance or useless inactivity." Indeed, the chief activity of certain committees is a masterly inactivity; in Maryland, for example, nine of twenty-six Senate committees and fifteen of thirty-three House of Delegates committees had no measures referred to them during two sessions, while in Pennsylvania twenty Senate and twenty-three House committees received less than five per cent of all measures.

The methods of committee procedure, especially in regard to consideration of measures, are usually informal, and on occasion exceedingly careless. One of the theories of the committee system is that it will secure deliberation of legislative business, but the

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author believes that on a great majority of measures, committee action is a matter of unanimous consent, with little or no debate and weak opposition. The chairman usually dominates and his decisions are accepted. Consideration is frequently only a matter of form, although, on important issues, pressure-groups and political influences outside the committee rooms doubtless wield an effective influence. No formal committee records are available in three of the four houses under consideration, and other procedural regulations, such as committee reports and discharge motions, are more honored in the breach than in the observance.

Professor Winslow has traced by an ingenious and carefully prepared series of charts the shadowy history of legislative bills. Committee action is shown to be final action in 83 per cent of cases in Pennsylvania and in 92 per cent in Maryland. The committees are, in fact, rather the dictators of the legislature than its advisers. The members follow the committees, the committees follow the respective chairmen; the latter usually work with a fair degree of coöperation with the governor. The entire system is irresponsible. Much defective legislation is enacted, despite the efforts of the Legislative Reference Bureaus in each state.

The author cautiously suggests several possible reforms of the present system which would not involve any drastic overhauling of existing constitutional arrangements. He argues cogently for a reduction both in the size and in the number of standing committees, for the further use of expert assistance, and for more efficient and responsible internal management of the several committees. The use of joint committees would likewise be beneficial.

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The Problem of the Twentieth Century. By DAVID DAVIES. New York, G. P. Putnam's Sons, 1931.—xvii, 795 pp. $5.00.

The problem of the twentieth century discussed in this volume is the familiar and baffling problem of effective international sanctions, and the solution proposed by the author is the establishment of an international police force. He vigorously attacks the League of Nations for its lack of coercive power, comparing it unfavorably, in this respect, with the historic schemes of international organization, as well as with certain proposals, rejected by the architects of the League, for its endowment with adequate executive power.

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But whatever may have been the political exigencies confronting the Covenant-makers—and one gets the impression that Mr. Davies' zeal for his thesis renders him a rather half-hearted apologist for the admitted weaknesses of the League—he contends that conditions are now ripe for the organization of a police force to keep the international peace. The tragic realities of the late war dictate this policy, he thinks; moreover, he argues that the establishment of such a force has been made feasible by what he terms the differentiation of weapons (p. 297 *et seq.*)—that is, the development, during and after the war, of new machinery and methods of warfare, such as gases, airplanes etc., ideally fitted to the use of an international police force, prewar weapons and agencies being left to the national armies for domestic use.

For the constitution of the international force he favors a scheme whereby a specialized contingent, under international command headed by a High Constable, would be supplemented by national quotas locally organized and controlled, except when summoned to international service. This force would be directed by an executive body within the League, distinct from existing League agencies and charged with responsibility for international peace, the organization of which, he points out, would necessitate fundamental changes in the Covenant (p. 503). He has worked out in detail the make-up of this executive, upon the obviously sound theory that the value of an international police force as a peace agency, and as a factor in the movement for disarmament, depends wholly upon confidence in the wisdom and efficiency of its control. This, indeed, is the crux of the problem discussed.

In the development of his thesis Mr. Davies hardly comes to grips with a number of challenging questions. For example, his international police force is intended to render the national right of self-defense obsolete by affording the nations complete protection against aggression; but what is aggression? He does not undertake to define it; indeed, he fully appreciates the difficulty of setting up conventional tests of what he calls the "crime of aggression". But to leave the application even of preëstablished standards to the discretion of a League executive body acting by a majority or two-thirds vote (p. 527) would seem to invite the fatal opposition encountered by the Draft Treaty of Mutual Assistance. Again, the development of the League sanctions, by interpretation, raises serious doubt whether, in grave emergencies, the specialized contingent proposed by Mr. Davies as the nucleus of his police force could con-

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fidently rely upon the aid of national quotas in dealing with a powerful aggressor; or whether any state equipped for the task would assume so drastic a responsibility.

The philosophy of a forceless world finds scant recognition in this book. The author's logic in reasoning from the constabulary as the guarantor of ordered liberty within the state to his international police force as the bulwark of international peace is relentless. It is a fair question, nevertheless, at the present stage of world development, whether international peace can best be advanced by stressing force, or by keeping force in the background and cultivating non-coercive sanctions. In the light of experience "no right without might", and "covenants without the sword are but words", may be sound maxims of national policy, but their validity as guiding principles in dealing with the problem of international peace is at least debatable. The author's profound skepticism as to the value of public opinion as a sanction is natural if not wholly justified; and so also as to the economic boycott (pp. 142-143). His contention that the rules of warfare, as of peaceful intercourse between nations, are merely "a series of resolutions or customs which may be broken with impunity" (p. 169), cannot be admitted; indeed, German policy in the World War, which he invokes to support this view, really disproves it.

In stressing the necessity of an international executive, Mr. Davies seems to underrate the importance of the international legislative function. One of the major duties of his armed executive would be to enforce the decisions of international tribunals (pp. 504-505), but the need of arming these tribunals with force to compel obedience to their decrees seems to be much less insistent than that of equipping them with a more comprehensive legal code—a code that will narrow the sphere of national policy and correspondingly widen that of legal regulation.

His discussion of the tragic consequences of unregulated international competition is illuminating, as is his chapter on self-defense. Especially timely is his statement, referring to the nineteenth century movement for disarmament, that "in order to limit the forces required for the exigencies of self-defense there was no real test, no principle, no formula, and no standard to serve as a guide" (p. 232).

It would be altogether unjust to characterize this book, written as it is with great sincerity and penetrating insight into the problem discussed, as an argument to establish a conceded proposition, namely, that a Society of Nations guaranteeing peace and tranquillity

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by the wise exercise of community force would be immeasurably better than the present world order; or to point out that an international executive such as the author proposes is at the moment beyond the range of practical discussion, in that it presupposes a degree of international solidarity not yet attained, as eloquent evidences on every hand attest. The fact remains that the author has made an able and convincing presentation of the inherent weaknesses of the existing frontier type of international organization—what he calls with some justice our "international jungle"—and has had the courage to chart a way out of it. Several appendices covering documentary and other material add greatly to the value of the book.

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The Naval Blockade 1914–18. By LIEUTENANT LOUIS GUICHARD. Translated and edited by Christopher R. Turner. New York, D. Appleton & Company, 1930.—xviii, 321 pp. $3.50.

This is a volume on what Admiral Mahan would have called the determining factors in the Great War. Indeed, had the great American historian of naval warfare lived to write on the influence of sea power in the last war, he would have had to record the assertion of belligerent rights at sea far beyond anything even he had envisaged. For if there is one thing that stands out conspicuously in Guichard's remarkably clear and dispassionate study of the economic encirclement of Germany by naval blockade, it is the expansion far beyond earlier practice of certain doctrines of international law in favor of the belligerent powers. What these were is well known to students of the subject. First in importance was the doctrine of ultimate destination, and second an unlimited extension of the list of contraband articles. In the absence of a formal declaration of blockade against Germany, which France had urged from the beginning, they furnished the legal basis for a system of commercial warfare, which involved not only the seizure, detention and often the confiscation of all enemy and much neutral commerce, but also the establishment of a novel and effective trade control at the approaches to the European continent: the English Channel, the Straits of Gibraltar and the northern entrance to the North Sea.

The content of the volume falls into three parts:—first, the development and conduct of economic naval war; second, its effect

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upon neutrals; and third, its effect upon Germany. From the point of view of international law, the first is the most significant. Under it are treated, first, the empirical efforts to stop trade with the enemy from August 1914 to February 4, 1915, when Germany issued her first declaration of submarine warfare—a period of experimentation and groping in which many of the accepted regulations of maritime warfare were either abandoned or modified. This is followed by a chapter on the first two years of Germany's submarine activity, to the resumption of unrestricted submarine warfare in February 1917.

The Allied answer to Germany's submarine order of 1915 was the declaration of March 1, 1915, and the Order in Council of March 11, immediately following. The latter marked a vigorous re-assertion of an earlier doctrine and practice, developed by England during the Napoleonic War and later confirmed by American courts during the Civil War, of seizing neutral goods whose destination was presumably hostile.

The application and enforcement of the rule against goods with enemy destination was extremely difficult because of the fact that important neutrals were behind the line of Allied control while even more important neutrals like the United States were outside. The solution of the difficulty was found in the quota system, for which the judgment of the Prize Court in the case of the "Kim", September 16, 1915, furnished a legal basis. International quota commissions were set up for Holland and the Scandinavian countries in London, and for Switzerland in Paris.

After the entry of the United States in the war, the system which had been so elaborately built up was in a large measure abandoned in the face of unrestricted submarine sinkings on the one hand, and the need by the Allies for all available raw products and supplies on the other. From that time on, the Allies practically commandeered all neutral commerce. The use of their control of raw products in bargaining for ships is well illustrated by the illuminating chapter on the effects of the Allied trade control upon Spain. Rationing of neutrals suddenly gave place to the scramble for raw materials, foodstuffs and tonnage for the belligerents.

In the brief section on "lessons of the Blockade", the author points out that the Germans have learned that their complementary economic allies are to the east and not to the west, and that therefore the *Drang nach Osten* has received new encouragement from the events of the economic blockade. He takes issue with the critics of

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the blockade, who claim that it was responsible for the submarine warfare and hence the wholesale destruction of property, by pointing out that without it, the outcome of the war might have been quite different. He is convinced, however, that the ultimate decision was secured not by the economic blockade but by the armies.

In his conclusion he pays his respects to Germany. "I am unwilling", he says, "to conclude this study without paying my tribute to the German people which they certainly deserve. Germany no doubt had her 'Shieber' as we had our profiteers. . . . It was upon the civilian population that the action of the allies bore with greatest weight . . .", a result clearly caused by the "conditions of modern warfare, under which the whole of the vital forces of the nation are brought into play, and non-combatants are affected."

There is a brief bibliography of first-rate books but without critical comment, date or place of publication. Although manifestly based upon first-hand contact with archival materials, notably the French, the volume gives no specific references to sources or authorities.

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Du Droit de Paix: De Iure Pacis. By C. VAN VOLLENHOVEN. The Hague, Martinus Nijhoff, 1932.—xi, 251 pp. 4 Gld.

The history of the law of peace, says Mr. Van Vollenhoven, has never been attempted except by Neyron (1777) and Pütter (1843) —others have written histories of diplomacy. This book is quite different in its treatment from the usual history of international law, such as that of Butler and Maccoby. A great deal is packed into it, although the writer is careful to explain that he is merely opening up topics.

Mr. Van Vollenhoven is not content to regard the Peace of Westphalia as the beginning of the law of nations, but finds antecedents thousands of years ago in China, Japan and India. He is particularly interested in the medieval period. He uncovers the interesting institution of "*conservateurs de la paix*"; he points out that international law was conceived of at that time as a series of prerogatives: "*droit d'aubaine*", "*droit de naufrage*", et cetera. This medieval law had originality, and reached both kings and individuals; but it had no solid footing of states upon which to rest. Arbitration was conducted by diplomats and judges, and was so weak that it died about 1480; reprisals correspondingly grew. The chief survival of

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the period was the consul, and here was the birth of the administrative function; but there was no international police, nor legislation, and but little jurisdiction.

The beginning of the sixteenth century put an end to the remarkable development of the three previous centuries. This age (1492-1780) would have no limits on sovereign states; nevertheless the first official mention of international law recognized by states was in 1570, the first international conference was at The Hague in 1608, and by the Treaty of Osnabrück the signatories agreed to take up arms against an aggressor state! There was no growth of the law of peace during this period because states had only one desire—like the United States today—to remain perfectly free. Writers were active; but Vattel symbolizes the destruction of the law of peace.

During the period 1780-1914 there was much development, e. g., neutral revolt against the law of war, the revival of arbitration, fluvial law, public unions, even some international police; but hope was limited because war was unlimited. The law was more precisely stated, but it remained a dead letter where vital interests were concerned.

Since the war the tendency has been toward the organization of peace, that is, the administration and enforcement of international law. Some voices, such as those of Roosevelt and Taft, called for an international police. Many advances were made, such as the Covenant and the Pact, but all have been ineffective because there is no control behind the law of peace. The hope for the future, according to the author, lies in Article 11 of the Covenant, and two things are needed to make it effective: states must obey the Council of the League of Nations; and the League of Nations must have its own international armed forces. However, an effort is now being made to paralyze it, as Article 16 has already been paralyzed, by the absurd claim that the League of Nations cannot use force to stop war. The United States, he concludes, is going backward; and he wonders if hope for the future lies in the Oriental states.

The *motif* of the book is the author's well-known thesis that there should be an international police. It is thought-inspiring, written in a lively style and even polemic at times, and it opens up various avenues for research. In spite of its small size it is replete with facts, and is one of the most useful histories of international law.

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